



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda Planning and Zoning Commission

Tuesday, June 23, 2026

6:00 PM

City Council Chambers

This will be a hybrid (in-person/virtual meeting). To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.

- I. Call To Order
- II. Roll Call
- III. Chairperson's Opening Remarks
- IV. Citizen Comment Period

Persons wishing to participate/speak remotely (online) during the Citizen Comment Period must email planninginfo@sanmarcostx.gov no later than 12:00 p.m. on the day of the meeting. Written comments received prior to 12:00 p.m. on the day of the meeting will be emailed to the Commissioners. Written comments received after the deadline will be provided to the Commissioners at the meeting. Those wishing to speak in person may sign up in advance or appear in the City Council chambers at the time the item is called. Comments shall have a time limit of three minutes each and speakers must state their name.

CONSENT AGENDA

THE FOLLOWING ITEMS NUMBERED #1-2 MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COMMISSIONER IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

1. Consider approval, by motion of the Regular Meeting Minutes for the Planning and Zoning Commission on June 9, 2026
2. PC-04-10_01R Consider a request by Southwest Engineers, on behalf of Cottonwood Creek JDR, Ltd., for a renewal of a Master Plan for approximately 471.94 acres, more or less, out of the Farnham Frye, Rebecca Brown, and John F Geister Surveys, located at the intersection of Rattler Road and Highway 123. (K. Buck)

PUBLIC HEARINGS

Interested persons may participate in any of the Public Hearing items #3-4:

- 1) *To participate/speak remotely (online) during the Public Hearings, email planninginfo@sanmarcostx.gov no later than 12:00 p.m. on the day of the meeting, or*
- 2) *Email written comments. Comments received prior to 12:00 p.m. on the day of the meeting will be*

emailed to the Commissioners and comments received after the deadline will be provided to the Commissioners at the meeting, or

3) Those wishing to speak in person may sign up in advance or appear in the City Council chambers at the time the item is called

Comments shall have a time limit of three minutes each and speakers must state their name and address.

3. CUP-26-31 (Bluebonnet Copacking) Hold a public hearing and consider a request by Brian Smittle, on behalf of Bluebonnet Copacking, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK Drive Suite 130. (C. Garrison)
4. CUP-26-32 (Valentino's) Hold a public hearing and consider a request by Cody Taylor, on behalf of Valentino's, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (C. Garrison)

EXECUTIVE SESSION

NOTE: The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session.

5. The Planning and Zoning Commission will convene in executive session in accordance with Sections 551.071 of the Texas Government Code to consult with the City Attorney to receive legal advice regarding Conditional Use Permits.

V. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

Comments shall have a time limit of three minutes each and speakers must state their name. The allotted time will commence at the beginning of the speakers remarks and will include time spent in discussion with Commissioners and staff. Any questions which are unable to be addressed in the allotted timeframe, or for which answers are not immediately available can be addressed outside the meeting.

VI. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:



Legislation Text

File #: ID#26-379, **Version:** 1

AGENDA CAPTION:

Consider approval, by motion of the Regular Meeting Minutes for the Planning and Zoning Commission on June 9, 2026

Meeting date: June 23, 2026

Department: Planning and Development

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

File #: ID#26-379, **Version:** 1

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, June 9, 2026

6:00 PM

City Council Chambers

This was a hybrid (in-person/virtual meeting). To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Case at 6:00 pm on Tuesday, June 9, 2026 via hybrid meeting.

II. Roll Call

Present 5 - Commissioner William Agnew, Commissioner David Case, Commissioner Maraya Dunn, Commissioner Rodney Van Oudekerke, and Commissioner Michele Burleson
Absent 4 - Commissioner Lupe Costilla, Commissioner Lucy Johnson, Commissioner Randy Bryan, and Commissioner Allison Hardy

III. Chairperson's Opening Remarks

Chair Case welcomed the audience and gave opening remarks detailing the meeting rules and guidelines.

IV. Citizen Comment Period

Chair Case opened the Citizen Comment Period.

There were no speakers.

Chair Case closed the Citizen Comment Period.

CONSENT AGENDA

1. Consider approval, by motion of the Regular Meeting Minutes for the Planning and Zoning Commission on May 26, 2026

A motion was made by Commissioner Dunn, seconded by Commissioner Burleson to approve the consent agenda.

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

PUBLIC HEARINGS

2. CUP-26-26 (Tumble 22) Hold a public hearing and consider a request by Amber Gibson, on behalf of Tumble 22, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1104 Thorpe Lane Suite D. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-26.

Staff recommended approval of the request with the following conditions:

1. **This permit shall be valid for three (3) years, and shall expire June 11, 2029, provided standards are met;**
2. **The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);**
3. **The maximum number of 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**
4. **This permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Burleson to approve the request with staff conditions and the following modification to condition #3.

- **The number of 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**

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

3. CUP-26-27 (Toro Ramen and Poke Bar) Hold a public hearing and consider a request by Anton Hartono, on behalf of Toro Ramen and Poke Bar, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 700 N LBJ Drive Suite 114. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-27.

Staff recommended approval of the request with the following conditions:

1. **This permit shall be valid for three (3) years, and shall expire June 13, 2029, provided standards are met;**
2. **The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);**
3. **No outdoor Amplified, Background, and/or Acoustic Sound shall be permitted;**
4. **The maximum number of 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**
5. **This permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Burleson to approve the request with staff conditions and the following modification to condition #4.

- **The number of 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.**

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

4. CUP-26-28 (Stripes) Hold a public hearing and consider a request by Tim Llaoa, on behalf of Stripes, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 3936 S IH 35. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-28.

Staff recommended approval of the request with the following conditions:

1. **The permit shall be valid for one (1) year, and shall expire on June 9, 2027, provided standards are met;**
2. **The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);**
3. **The number of 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**
4. **The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Dunn to approve the request with staff conditions.

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

5. CUP-26-29 (7-Eleven) Hold a public hearing and consider a request by Tim Llaoa, on behalf of 7-Eleven, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 1550 N IH 35. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-29.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for one (1) year, and shall expire on June 9, 2027, provided standards are met;**
- 2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);**
- 3. The number of 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**
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Case closed the Public Hearings.

A motion was made by Commissioner Dunn, seconded by Commissioner Van Oudekerke to approve the request with staff conditions.

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

- 6. CUP-26-30 (Crafthouse Kitchen and Tap) Hold a public hearing and consider a request by Sean Neal, on behalf of Crafthouse Kitchen and Tap, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 242 N LBJ Drive. (C. Garrison)**

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-30.

Staff recommended approval of the request with the following conditions:

- 1. This permit shall be valid for three (3) years, and shall expire June 9, 2029, provided standards are met;**
- 2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);**
- 3. 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**
- 4. This permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Burleson to approve the request with staff conditions and the following modification to conditions #1 & #3

- 1. This permit shall be valid for three (3) years, and shall expire April 13, 2030, provided standards are met.**
- 3. The number of 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.**

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

- 7. CUP-26-33 (The Kickback) Hold a public hearing and consider a request by Brian Baker, on behalf of The Kickback, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 312 University Dr, Ste D. (K. Buck)**

Chair Case open the Public Hearings

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-33.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for one (1) year, and shall expire on June 9, 2027, provided standards are met;**
- 2. No outdoor amplified, acoustic, and/or background sound shall be permitted;**
- 3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);**
- 4. The business shall not pursue or hold a TABC Late Hours permit;**
- 5. The number of 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**
- 6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

- 1) Brian Baker - 312 University Dr., in favor**
- 2) Ryan Persinger - 312 University Dr., in favor**

A motion was made by Chair Case, seconded by Commissioner Van Oudekerke to approve the request with staff conditions, excluding condition #4.

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

NON-CONSENT AGENDA

- 8. PDA-22-03 (Sedona South Development Agreement) Receive a staff presentation, and discuss a proposed development agreement requested by the City of San Marcos, and Carlson, Brigance & Doering, Inc, on behalf of JLBC 710 Investments, LLC, for approximately 643 acres out of the Charles Henderson, Andrew Mitchell, and S.A & M.G.R.R Co Surveys in Hays and Guadalupe Counties, generally located on SH 123 northeast of the intersection of SH 123 and FM 1978.(J. Cleary)**

Julia Cleary, Senior Planner, gave a presentation on request PDA-22-03.

There was no action.

V. Question and Answer Session with Press and Public.

Chair Case opened the Question and Answer Session.

There were no speakers.

Chair Case closed the Question and Answer Session.

VI. Adjournment

A motion was made by Commissioner Burleson, seconded by Commissioner Dunn to adjourn.

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Burleson

Against: 0

Absent: 4 - Commissioner Costilla, Commissioner Johnson, Commissioner Bryan and Commissioner Hardy

The meeting adjourned at 6:46 p.m.

Recording Secretary, Enrique Velasquez

Chair, David Case



Legislation Text

File #: PC-04-10_01R, **Version:** 1

AGENDA CAPTION:

PC-04-10_01R Consider a request by Southwest Engineers, on behalf of Cottonwood Creek JDR, Ltd., for a renewal of a Master Plan for approximately 471.94 acres, more or less, out of the Farnham Frye, Rebecca Brown, and John F Geister Surveys, located at the intersection of Rattler Road and Highway 123. (K. Buck)

Meeting date: June 23, 2026

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: N/A

Account or Project Number (C = CIP funds): N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative:

N/A

N/A

N/A

Comprehensive Plan Element (s):

- Arts and Culture - Choose an item.
- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Housing + Neighborhoods - Choose an item.
- Land Use + Community Design and Character - Choose an item.
- Parks & Public Spaces + Health, Safety & Wellness - Choose an item.
- Transportation - Choose an item.
- Core Services
- Not Applicable

Master Plan: Choose an item.

Background Information:

The Master Plan for Cottonwood Creek Subdivision was originally approved by the Planning and Zoning Commission on May 28, 2002. Approval of the Master Plan may be extended for one-year periods by consent of the Commission. It was last renewed by the Planning & Zoning Commission in June 2025. A renewal of the Master Plan is required for all un-platted land within the Cottonwood Creek development to maintain vested status.

The applicant is proposing a lot line adjustment between the 11.32 acre Public lot and the 20.24 acre residential lot in Phase 2. No additional changes are proposed.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff recommends **approval** of PC-04-10_01R as presented.

Plat – Master Plan	<h1 style="margin: 0;">Cottonwood Creek Master Plan Renewal</h1>
PC-04-10_01R	



Summary

Request:	Renewal of a mixed-use Master Plan with the potential for 2,219 residential lots, 555 multifamily units, and 165 duplex units.		
Applicant:	Grant Geissinger Southwest Engineers 205 Cimarron Park Loop Buda, Texas 78610	Property Owner:	Cottonwood Creek JDR, Ltd. 330 Wonder World Drive San Marcos, TX 78666
Parkland Required:	N/A	Utility Capacity:	Extension required at the expense of the developer.
Accessed from:	Rattler Road	New Street Names:	N/A

Notification

Published:	N/A
Response:	None as of the date of this report

Property Description

Location:	Rattler Road at Highway 123		
Acreage:	471.94 acres	PDD/DA/Other:	Development Agreement- Cottonwood Creek
Existing Zoning:	SF-6, DR, PH-ZL, TH, P, GC, MF-12, MF-18	Preferred Scenario:	Low Intensity / Medium Intensity / Open Space
Proposed Use:	Residential Subdivision		
CONA Neighborhood:	Cottonwood Creek	Sector:	5

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	ETJ	Vacant	Low Intensity
South of Property:	ETJ	Vacant	Low Intensity
East of Property:	ETJ	Vacant	Low Intensity
West of Property:	P	San Marcos High School	Medium Intensity

Staff Recommendation

X	Approval as Submitted	Approval with Conditions / Alternate	Denial
Staff: Kaitlyn Buck		Title: Planner	Date: June 19, 2024

History

The Master Plan for Cottonwood Creek Subdivision was originally approved by the Planning and Zoning Commission on May 28, 2002. Approval of the Master Plan may be extended for one-year periods by consent of the Commission. It was last renewed by the Planning & Zoning Commission in June 2025. A renewal of the Master Plan is required for all un-platted land within the Cottonwood Creek development to maintain vested status.

Additional Analysis

The applicant is proposing a lot line adjustment between the 11.32 acre Public lot and the 20.24 acre residential lot in Phase 2. No additional changes are proposed.

Plat – Master Plan

PC-04-10_01R

Cottonwood Creek Master Plan Renewal

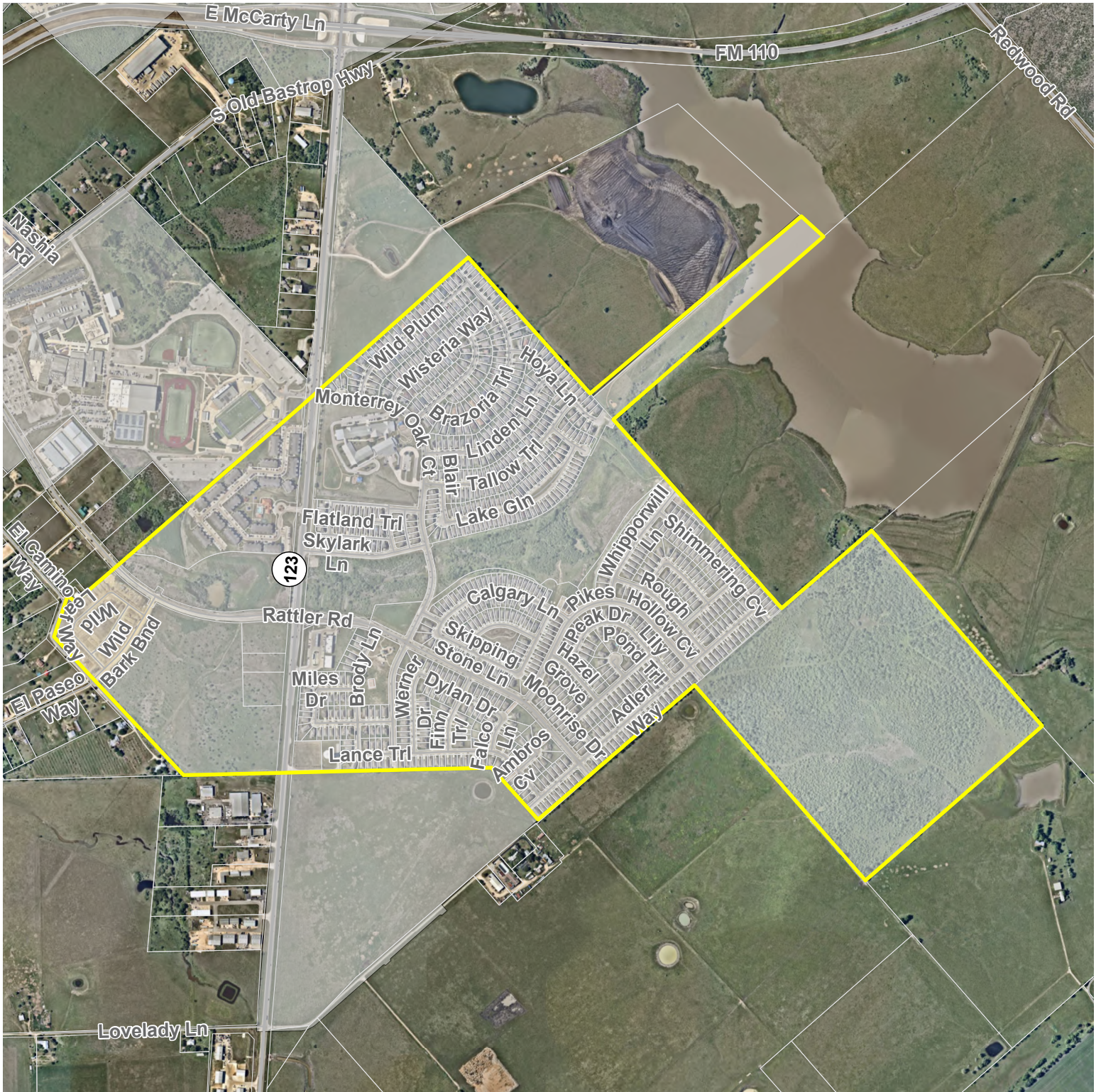


Evaluation			Criteria for Approval (Sec.3.2.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			The subdivision concept plat is consistent with all applicable standards and requirements for the property and any prior approvals listed in Section 3.2.1.2;
		<u>X</u>	The proposed provision and configuration of roads, electric, water, wastewater, drainage and park facilities conform to the Comprehensive Plan and any approved City Master Plans or Capital Improvement Plans; <i>Not all Transportation Master Plan (TMP) roadways and greenways are required because the current TMP was adopted in 2018, after the Cottonwood Creek development agreement was approved.</i>
<u>X</u>			The proposed provision and configuration of roads, electric, water, wastewater, drainage and park facilities, and easements and rights-of-way are determined to be adequate to serve each phase of the development in accordance with Section 3.5.1.1;
<u>X</u>			The schedule of development is feasible and prudent, and assures that the proposed development shall progress to completion within the limits proposed;
<u>X</u>			The location, size and sequence of the phases of development proposed assures orderly and efficient development of the land subject to the subdivision concept plat; and
		N/A	Where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and is subject to an interlocal agreement under Tex. Loc. Gov't Code Ch. 242, the proposed subdivision concept plat meets any county standards to be applied under the agreement. <i>All property within Cottonwood Creek is within City Limits.</i>

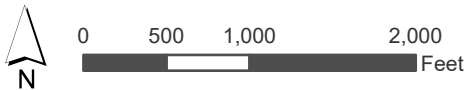
Cottonwood Creek Master Plan Rattler Road & Hwy 123

PC-04-10_01R

Aerial Map



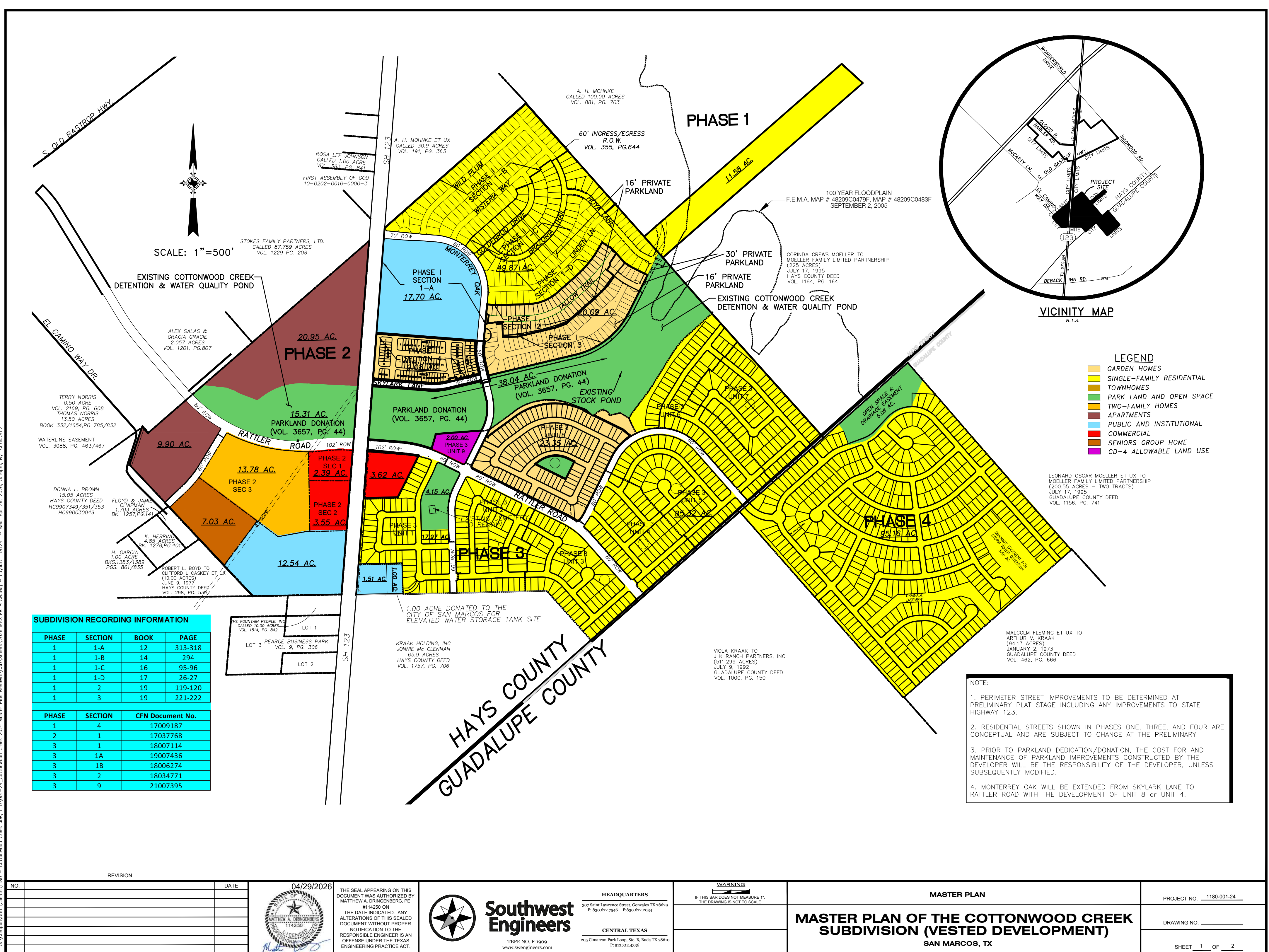
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/24/2023





SCALE: 1"=500'

VICINITY MAP
N.T.S.

- LEGEND**
- GARDEN HOMES
 - SINGLE-FAMILY RESIDENTIAL
 - TOWNHOMES
 - PARK LAND AND OPEN SPACE
 - TWO-FAMILY HOMES
 - APARTMENTS
 - PUBLIC AND INSTITUTIONAL
 - COMMERCIAL
 - SENIORS GROUP HOME
 - CD-4 ALLOWABLE LAND USE

SUBDIVISION RECORDING INFORMATION

PHASE	SECTION	BOOK	PAGE
1	1-A	12	313-318
1	1-B	14	294
1	1-C	16	95-96
1	1-D	17	26-27
1	2	19	119-120
1	3	19	221-222

PHASE	SECTION	CFN Document No.
1	4	17009187
2	1	17037768
3	1	18007114
3	1A	19007436
3	1B	18006274
3	2	18034771
3	9	21007395

NOTE:

- PERIMETER STREET IMPROVEMENTS TO BE DETERMINED AT PRELIMINARY PLAT STAGE INCLUDING ANY IMPROVEMENTS TO STATE HIGHWAY 123.
- RESIDENTIAL STREETS SHOWN IN PHASES ONE, THREE, AND FOUR ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE AT THE PRELIMINARY
- PRIOR TO PARKLAND DEDICATION/DONATION, THE COST FOR AND MAINTENANCE OF PARKLAND IMPROVEMENTS CONSTRUCTED BY THE DEVELOPER WILL BE THE RESPONSIBILITY OF THE DEVELOPER, UNLESS SUBSEQUENTLY MODIFIED.
- MONTERREY OAK WILL BE EXTENDED FROM SKYLARK LANE TO RATTLER ROAD WITH THE DEVELOPMENT OF UNIT 8 or UNIT 4.

<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISION	DATE				<p>04/29/2026</p>	<p>THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MATTHEW A. DRINGENBERG, PE #114250 ON THE DATE INDICATED. ANY ALTERATIONS OF THIS SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.</p>	<p>Southwest Engineers TBPE NO. F-1909 www.swengineers.com</p>	<p>HEADQUARTERS 307 Saint Lawrence Street, Gonzales TX 78609 P: 830.672.7546 F: 830.672.2034</p> <p>CENTRAL TEXAS 205 Cimarron Park Loop, Ste. B, Buda TX 78610 P: 512.312.4336</p>	<p>WARNING IF THIS BAR DOES NOT MEASURE 1", THE DRAWING IS NOT TO SCALE</p>	<p>MASTER PLAN</p> <p>MASTER PLAN OF THE COTTONWOOD CREEK SUBDIVISION (VESTED DEVELOPMENT) SAN MARCOS, TX</p>	<p>PROJECT NO. 1180-001-24</p> <p>DRAWING NO. _____</p> <p>SHEET 1 OF 2</p>
NO.	REVISION	DATE											

C:\CompanyData\Clients\1180 - Cottonwood Creek - Cottonwood Creek - 2024 Master Plan Renewal\CAD\Sheets\2026 MASTER PLAN.dwg ~ Layout: "Bsize" ~ Wed, Apr 29, 2026, 5:16pm, By: Chris-Driz

C:\CompanyData\Clients\1180 - Cottonwood Creek - 2024 Master Plan Renewal\CAD\Sheets\2026 MASTER PLAN.dwg -- Layout: "table" -- Wed Apr 23, 2026, 5:16pm, By: Dina.Ortiz

Development Plan Summary

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Allowable Density (units/acre)	Proposed Allowable Units	Population Per Unit *	Estimated Population
Single-Family Residential	135.19	Low Density Residential	SF-6	-	6	954	2.75	2,624
Single-Family Residential	11.58	Low Density Residential	SF-6	-	<1	4	2.75	11
Garden Homes	52.47	Medium Density Residential	PH-ZL	-	12	630	2.10	1,323
Apartments	30.85	High Density Residential	MF-18	-	18	555	2.10	1,166
Two-Family Homes	13.78	Medium Density Residential	DR	-	12	165	2.10	347
Seniors Group Home	7.03	Medium Density Residential	MF-12	-	-	-	-	-
Townhomes	17.97	Medium Density Residential	TH	-	12	216	2.10	454
Single-Family Residential	95.16	Low Density Residential	SF-6	-	6	414	2.75	1,139
Commercial	9.56	Commercial	GC/C	-	-	-	-	-
CD-4 Allowable Land Use	2.00	CD-4	CD-4	-	24	48	2.10	101
Public and Institutional	32.75	Public	P	-	-	-	-	-
Parkland	53.35	Parkland	P	-	-	-	-	-
Private Park	9.70	Open Space	P	-	-	-	-	-
Totals	471.39					2,966		7,165

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
102' ROW Boulevard Arterials	630
80' ROW Arterials	3,822
70' ROW Arterials	320
60' ROW Collectors	12,104
50' ROW Residentials	48,603
20' ROW Alleys	6,200

Cottonwood Creek Subdivision - Phase 1 Section 1-A

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Allowable Density (units/acre)	Allowable Units	Population Per Unit *	Estimated Population
Public and Institutional	17.70	Public	P	-	-	-	-	-
Totals	17.70							

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
70' ROW Arterials	320
60' ROW Collectors	1,286

THE FOLLOWING NOTE IS ADDED IN ACCORDANCE WITH 5/28/02 PLANNING AND ZONING COMMISSION APPROVAL:
 THE EXISTING LAND USE FOR THE TOTAL LAND AREA IS VACANT (AGRICULTURAL AND RANCHING)
 THE FOLLOWING NOTE IS ADDED IN ACCORDANCE WITH 5/10/05 PLANNING AND ZONING COMMISSION APPROVAL:
 05/02/11 HEREBY DELETED
 THERE WILL BE FOUR(4) LOTS FRONTING ON CYPRESS PARKWAY, AT/NEAR THE TERMINUS OF CYPRESS PARKWAY, WITH 50 FOOT MINIMUM WIDTH EACH, BACKING UP TO THE ADJACENT ASCS LAKE.

Cottonwood Creek Subdivision - Phase 1 Section 1-B

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Actual Density (units/acre)	Actual Units	Population Per Unit *	Estimated Population
Single-Family Residential	19.32	Low Density Residential	SF-6	-	5.3	102	2.75	281
Totals	19.32					102		281

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
60' ROW Residentials	2,966

Cottonwood Creek Subdivision - Phase 1, Section 1-C

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Actual Density (units/acre)	Actual Units	Population Per Unit *	Estimated Population
Single-Family Residential	14.50	Low Density Residential	SF-6	--	5.3	72	2.75	198
Private Parkland	0.12	Low Density Residential	SF-6	--	--	--	--	--
Totals	14.62					72		198

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
50' ROW Residentials	2,495

Cottonwood Creek Subdivision - Phase 1, Section 1-D

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Actual Density (units/acre)	Actual Units	Population Per Unit *	Estimated Population
Single-Family Residential	13.40	Low Density Residential	SF-6	--	5.3	71	2.75	195
Private Parkland	0.16	Low Density Residential	SF-6	--	--	3	--	--
Totals	13.56					74		195

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
50' ROW Residentials	2,327

Cottonwood Creek Subdivision - Phase 1, Sec 2

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Actual Density (units/acre)	Actual Units	Population Per Unit *	Estimated Population
Garden Homes	9.27	Medium Density Residential	PH-ZL	--	6.1	57	2.10	120
Private Parkland	0.08	Medium Density Residential	PH-ZL	--	--	2	--	--
Totals	9.35					59		120

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
50' ROW Residentials	2,391
60' ROW Collectors	374

Cottonwood Creek Subdivision - Phase 1 Remainder

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Allowable Density (units/acre)	Actual Units	Population Per Unit *	Estimated Population
Garden Homes	19.75	Medium Density Residential	PH-ZL	--	12	292	2.10	613
Parkland	38.04	Parkland	P	--	--	--	--	--
Totals	57.79					292		613

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
60' ROW Collectors	446
50' ROW Residentials	3,431
20' ROW Alleys	2,005

Cottonwood Creek Subdivision - Phase 2

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Allowable Density (units/acre)	Allowable Units	Population Per Unit *	Estimated Population
Apartments	30.85	High Density Residential	MF-18	--	18	555	2.10	1,166
Two-Family Residential	13.78	Medium Density Residential	DR	--	12	165	2.10	347
Seniors Group Home	7.03	Medium Density Residential	MF-12	--	-	-	-	-
Commercial	5.94	Commercial	GC	--	--	--	--	--
Public & Institutional	12.54	Public & Institutional	P	--	--	--	--	--
Parkland	15.30	Parkland	P	--	--	--	--	--
Totals	85.44					720		1,513

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
90' ROW Boulevard Arterials	330
80' ROW Arterials	1,266
60' ROW Collectors	821

Cottonwood Creek Subdivision - Phase 3

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Allowable Density (units/acre)	Allowable Units	Population Per Unit *	Estimated Population
Single-Family Residential	85.32	Low Density Residential	SF-6	--	6	512	2.75	1,408
Single-Family Residential	17.97	Medium Density Residential	TH	--	6	108	2.75	297
Garden Homes	23.35	Medium Density Residential	PH-ZL	--	12	280	2.10	588
Commercial	3.62	Commercial	GC	--	--	--	--	--
CD-4 Allowable Land Use	2.00	CD-4	CD-4	--	24	48	2.10	101
Parkland	4.15	Parkland	P & TH	--	--	--	--	--
Public and Institutional	2.51	Public	P	--	--	--	--	--
Totals	138.92					948		2,394

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

Type	Estimated Distance In L.F.
102' ROW Arterials	729
80' ROW Arterials	2,094
60' ROW Collectors	4,326
50' ROW Residentials	19,617

Cottonwood Creek Subdivision - Phase 4

Land Use Category	Area (acres)	Current FLUM Designation	Existing Zoning	Proposed Zoning	Proposed Density (units/acre)	Proposed Units	Population Per Unit *	Estimated Population
Single Family Residential	95.16	Low Density Residential	SF-6	--	4.4	414	2.75	1,139
Private Park	5.60	Open Space	P	-	-	-	-	-
Totals	100.76					414		1,139

* Source : City of San Marcos and 2000 Census.

Streets and Alleys Type

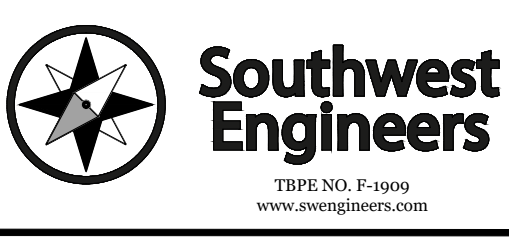
Type	Estimated Distance In L.F.
50' ROW Residentials	16,440
60' ROW Residentials	304

REVISION

NO.	DATE
	04/29/2026

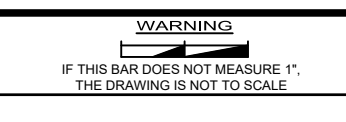


THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MATTHEW A. DRINGENBERG, PE #114250 ON THE DATE INDICATED. ANY ALTERATIONS OF THIS SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



HEADQUARTERS
 307 Saint Lawrence Street, Gonzales TX 78629
 P: 830.672.7546 F: 830.672.2034

CENTRAL TEXAS
 205 Cimarron Park Loop, Ste. B, Buda TX 78610
 P: 512.312.4330



DEVELOPMENT SUMMARY

MASTER PLAN OF THE COTTONWOOD CREEK SUBDIVISION (VESTED DEVELOPMENT)

SAN MARCOS, TX

PROJECT NO. 1180-001-24

DRAWING NO. _____

SHEET 2 OF 2

PRELIMINARY SUBDIVISION PLAT, REPLAT OR CONCEPT PLAT APPLICATION



Updated: September 2025

CONTACT INFORMATION

Applicant's Name	Grant Geissinger	Property Owner	Randall Morris, President
Company	Southwest Engineers	Company	Cottonwood Creek JDR, LTD.
Applicant's Mailing Address	645 FM 967, Suite 122, Buda, TX 78610	Owner's Mailing Address	330 Wonder World Dr, Ste 300, San Marcos
Applicant's Phone #	(512) 312-4336	Owner's Phone #	(512) 753-9470
Applicant's Email	grant.geissinger@swengineers.com	Owner's Email	randall@randallmorris.com

PROPERTY INFORMATION

Proposed Subdivision Name: Cottonwood Creek (Master Plan Renewal)

Subject Property Address or General Location: SH 123 @ Rattler Road

Acres: 471.97 Tax ID #: R70227; R155133; R179027

Located in: City Limits Extraterritorial Jurisdiction _____ County

DESCRIPTION OF REQUEST

***Master Plan Renewal**

Type of Plat: Preliminary Subdivision Plat Replat Concept Plat

Proposed Number of Lots: 2,986 Proposed Land Use: Mixed (Residential, Commercial, Public)

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Concept / Preliminary Plats:

Filing Fee \$1,575 plus \$100 per acre Technology Fee \$15 **MAXIMUM COST \$5,015**

Replats that are not Administratively approved:

Filing Fee \$788 plus \$50 per acre Technology Fee \$15 **MAXIMUM COST \$3,015**

Submittal of this digital Application shall constitute acknowledgment and authorization to process this request.

Apply Online at MGOCONNECT.ORG

SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

- All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat
- I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application
- The attached Minor / Amending / Preliminary Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: Grant Geissinger Digitally signed by Grant Geissinger
DN: cn=Grant Geissinger, c=US, o=Southwest Engineers, Inc.,
email=grant.geissinger@swengineers.com
Date: 2026.04.21 17:21:15 -05'00' Date: 4/21/2026

NOTICE OF COMPLETENESS DETERMINATION & STATUTORY REVIEW TIMEFRAMES

I understand that the City of San Marcos requires online submittal of all applications through the Customer Portal at www.mygovernmentonline.org and that the Responsible Official will review this application for completeness within 10 business days of online submittal. I understand that this application is not considered "filed" until all required documentation is received and reviewed for completeness. *Upon determination of completeness the City will send written correspondence stating that the application has been filed and will provide a date, in accordance with the Texas Local Government Code, when the Planning and Zoning Commission will meet to hear the request.*

- By checking this box I am requesting cursory review of this application prior to determination that the application is complete and filed. Cursory review comments shall not constitute a determination of completeness.

I also understand that as the applicant I may request, in writing, an extension to the statutory review timeframes.

Signature of Applicant: Grant Geissinger Digitally signed by Grant Geissinger
DN: cn=Grant Geissinger, c=US, o=Southwest Engineers, Inc.,
email=grant.geissinger@swengineers.com
Date: 2026.04.21 17:21:15 -05'00' Date: 4/21/2026

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

- Two (2) mylars of the subdivision plat (*Comal Co. requires White 20# Bond Paper*)
- Recording Fee: \$_____
- Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)
- Lien Search Certificate that is dated no more than 10 days prior to the date of Plat Recordation

Other possible recording requirements:


- If public improvements were deferred, Subdivision Improvement Agreement
- Subdivision Improvement Agreement recording fee: \$_____
- Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)
- Other recording fee: \$_____

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.

PROPERTY OWNER AUTHORIZATION

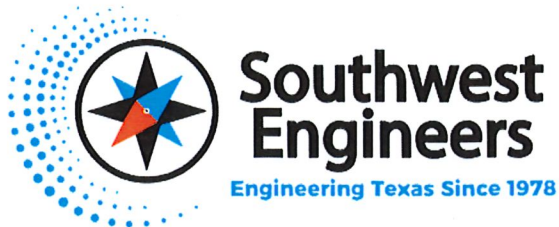
I, Randall Morris, President, (owner name) on behalf of Cottonwood Creek JDR, LTD. (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at SH 123 & Rattler Rd (R70227, R155133, R179027) (address).

I hereby authorize Grant Geissinger (agent name) on behalf of Southwest Engineers, LLC (agent company) to file this application for Master Plan Renewal (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 4/29/20
Printed Name, Title: Randall Morris, President

Signature of Agent: _____ Date: _____
Printed Name, Title: _____

Form Updated October, 2019



Public Infrastructure
Land Development
Land & ROW Acquisition

TBPELS No. F-1909

April 22nd, 2026

Mr. Terry Floyd, Director
City of San Marcos
Planning and Development Services
630 E. Hopkins Street
San Marcos, Texas 78666

RE: Cottonwood Creek Subdivision Master Plan
2026 Annual Renewal Application
Project No. PC-04-10_01O

Dear Mr. Floyd:

Please accept this cover letter with attachments for the referenced subdivision master plan annual renewal. Attached please find the following items.

1. Subdivision Master Plan Application;
2. PDF and CAD file of Master Plan document; and
3. Acknowledgement that the \$5,015 City fee payment will be made when directed to do so by City Planning staff.

Subdivision activity since last year's annual renewal approval include the following:

- Cottonwood Creek JDR, LTD. only owns 3 properties within the Master Plan at this time. These include a 20-acre residential property, and 2 commercial lots. The residential property and one of the commercial lots are under contract.
- Lot line adjustment between 11.32-ac Public/Institutional lot and 20.24-ac Residential lot in Phase 2.
- No other changes to report for this renewal cycle.

We request to be considered for approval by the Planning & Zoning Commission at their May 12th, 2026 meeting. Please let us know if you need any further information.

Respectfully Submitted,

Grant Geissinger, P.E.
Project Manager

Gonzales | Buda | Bastrop | Round Rock

205 Cimarron Park Loop Unit B, Buda, TX 78610

512-312-4336

www.swengineers.com

Page 1 of 1



PC-04-10_01R

Cottonwood Creek Master Plan Renewal

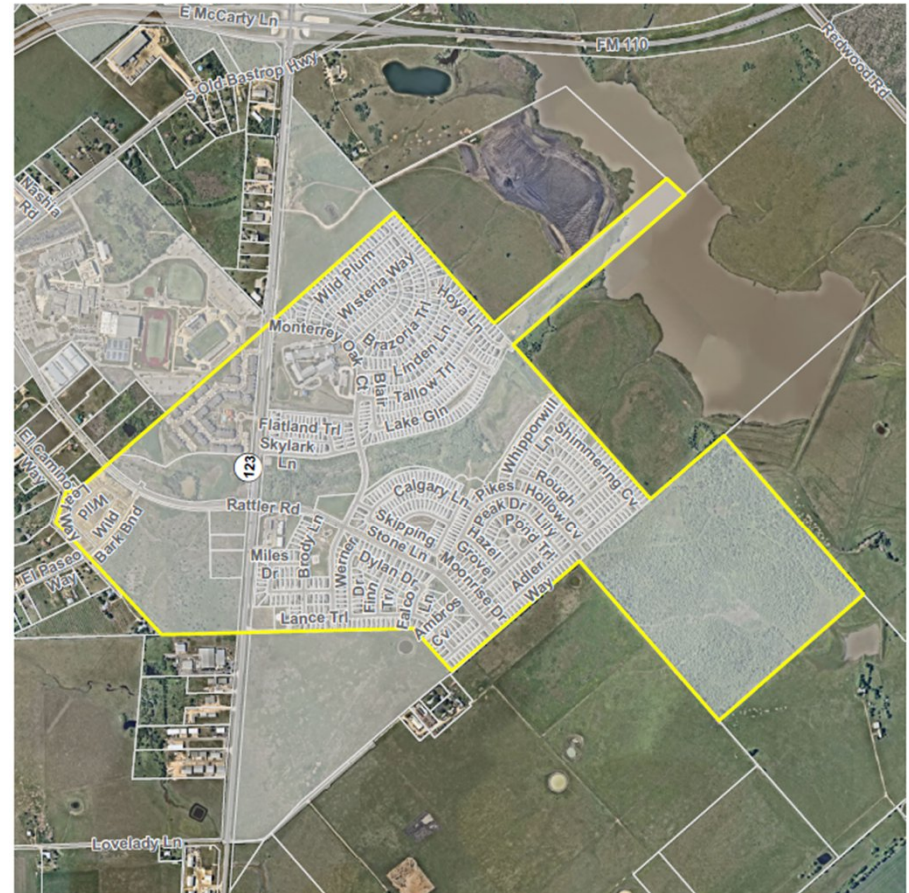
Consider a request by Southwest Engineers, on behalf of Cottonwood Creek JDR, Ltd., for a renewal of a Master Plan for approximately 471.94 acres, more or less, out of the Farnham Frye, Rebecca Brown, and John F Geister Surveys, located at the intersection of Rattler Road and Highway 123. (K. Buck)



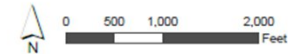
Property Information

- +/- 471.94 acres
- Approved in 2002
- Located in a Low Intensity Zone as designated on the Preferred Scenario Map.
- Proposed Change: Lot line adjustment in Phase 2

PC-04-10_01R Cottonwood Creek Master Plan Rattler Road & Hwy 123 Aerial Map



- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/24/2023

SAN MARCOS Planning and Development Services





Recommendation

Staff recommends approval of **PC-04-10_01R** as presented.



Legislation Text

File #: CUP-26-31, **Version:** 1

AGENDA CAPTION:

CUP-26-31 (Bluebonnet Copacking) Hold a public hearing and consider a request by Brian Smittle, on behalf of Bluebonnet Copacking, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK Drive Suite 130. (C. Garrison)

Meeting date: June 23, 2026

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: N/A

Account or Project Number (C = CIP funds): N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

N/A

N/A

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Arts and Culture - Choose an item.
- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Housing + Neighborhoods - Choose an item.
- Land Use + Community Design and Character - Choose an item.
- Parks & Public Spaces + Health, Safety & Wellness - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

The applicant is renewing a Conditional Use Permit (CUP) for a tap-room associated with a brewery. The CUP is required to have on-premise consumption of alcohol within the tap-room, and not for the brewery use.

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.

August 2017: Hops & Grain issued a CUP for on-premise consumption as a Brewery Use, which was an allowable use at the time in the T-5 zoning district.

April 2018: San Marcos Development Code amendment changed T-5 to CD-5D and removed Brewery as an allowable use. At this time the use became nonconforming.

2020/2021: Staff approved an administrative name change from Hops & Grain to Aquabrew, The Conditional Use Permit for alcohol sales and the Brewery Use were maintained. (No lapse of 6 months or more)

Late 2023/ Early 2024: The subject property discontinued use as a Brewery and remained vacant for more than 6-months.

February 2025 - Reinstatement of nonconforming rights approved by the Zoning Board of Adjustment to allow for the Brewery Use.

2025: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff recommends **approval** with the following conditions:

1. This permit shall be valid for three (3) years, and shall expire June 23, 2029, provided standards are met;
2. No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than 12am.
3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);
4. The number of 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
5. This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Conditional Use Permit CUP-26-31	110 E MLK Dr. Suite 130 Bluebonnet Copacking
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Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Brian Smittle Bluebonnet Copacking 510 Hearn St. Austin, Texas 78703	Property Owner:	Mark Shields MLKSM LLC 510 Hearn St. Austin, TX 78703
CUP Expiration:	April 22, 2026	Type of CUP:	Outside CBA Beer & Wine
Interior Floor Area:	2,200 sq. ft.	Outdoor Floor Area:	Approx 2,200 sq. ft.
Parking Required:	13.2 spaces	Parking Provided:	Yes – Shared
Days & Hours of Operation:	Thursday & Friday: 4:00 p.m. – 10:00 p.m. and Saturday & Sunday: 11:00 a.m. – 10:00 p.m. (Potential for Monday – Sunday: 8am – 10pm)		

Notification

Posted:	June 5, 2026	Personal:	June 5, 2026
Response:	No comments received at this time.		

Property Description

Legal Description:	J S Travis, Block 1, Lot Part of 1-2-3-4		
Location:	Southeast corner of E MLK Drive and S Guadalupe Street		
Acreage:	2.48 acres	Acreage:	Same
Existing Zoning:	Character District-5D (CD-5D)	Proposed Zoning:	Same
Existing Use:	Brewery	Proposed Use:	Brewery
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Downtown	Sector:	Sector 8
Utility Capacity:	Adequate	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey:	Low Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District-5D (CD-5D)	Restaurant/ Future Fire Station	Mixed Use Medium
South of Property:	Character District-5D (CD-5D)	Railroad	Mixed Use Medium
East of Property:	Character District-5D (CD-5D)	Bar/ Restaurant/ Retail	Mixed Use Medium/ Mixed Use Low
West of Property:	Character District-5D (CD-5D)	Professional Offices/ Multifamily	Mixed Use Medium

Conditional Use Permit	110 E MLK Dr. Suite 130
CUP-26-31	Bluebonnet Copacking



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
<ol style="list-style-type: none"> 1. This permit shall be valid for three (3) years, and shall expire June 23, 2029, provided standards are met; 2. No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than 12am. 3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D); 4. The number of 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 5. This permit shall be posted in the same area and manner as the Certificate of Occupancy. 		
Staff: Craig Garrison	Title : Planner	Date: 6/17/2026

History

The applicant is renewing a Conditional Use Permit (CUP) for a tap-room associated with a brewery. The CUP is required to have on-premise consumption of alcohol within the tap-room, and not for the brewery use.

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.

August 2017: Hops & Grain issued a CUP for on-premise consumption as a Brewery Use, which was an allowable use at the time in the T-5 zoning district.

April 2018: San Marcos Development Code amendment changed T-5 to CD-5D and removed Brewery as an allowable use. At this time the use became nonconforming.

2020/2021: Staff approved an administrative name change from Hops & Grain to Aquabrew, The Conditional Use Permit for alcohol sales and the Brewery Use were maintained. (No lapse of 6 months or more)

Late 2023/ Early 2024: The subject property discontinued use as a Brewery and remained vacant for more than 6-months.

February 2025 – Reinstatement of nonconforming rights approved by the Zoning Board of Adjustment to allow for the Brewery Use.

2025: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions.

Comments from Other Departments

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

Conditional Use Permit CUP-26-31	110 E MLK Dr. Suite 130 Bluebonnet Copacking
-------------------------------------	---



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 use of a Brewery contributes to the mix of uses on the subject property and Downtown Area.</i>
<u>X</u>			The proposed use is consistent with any adopted small area plan or neighborhood character study for the area.
		<u>X</u>	The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. <i>The use of a Brewery is not allowed in the CD-5D Zoning District in Table 5.1. Reinstatement of nonconforming rights approved by the Zoning Board of Adjustment to allow for the Brewery Use.</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.
<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.
		<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.



 Subject Property

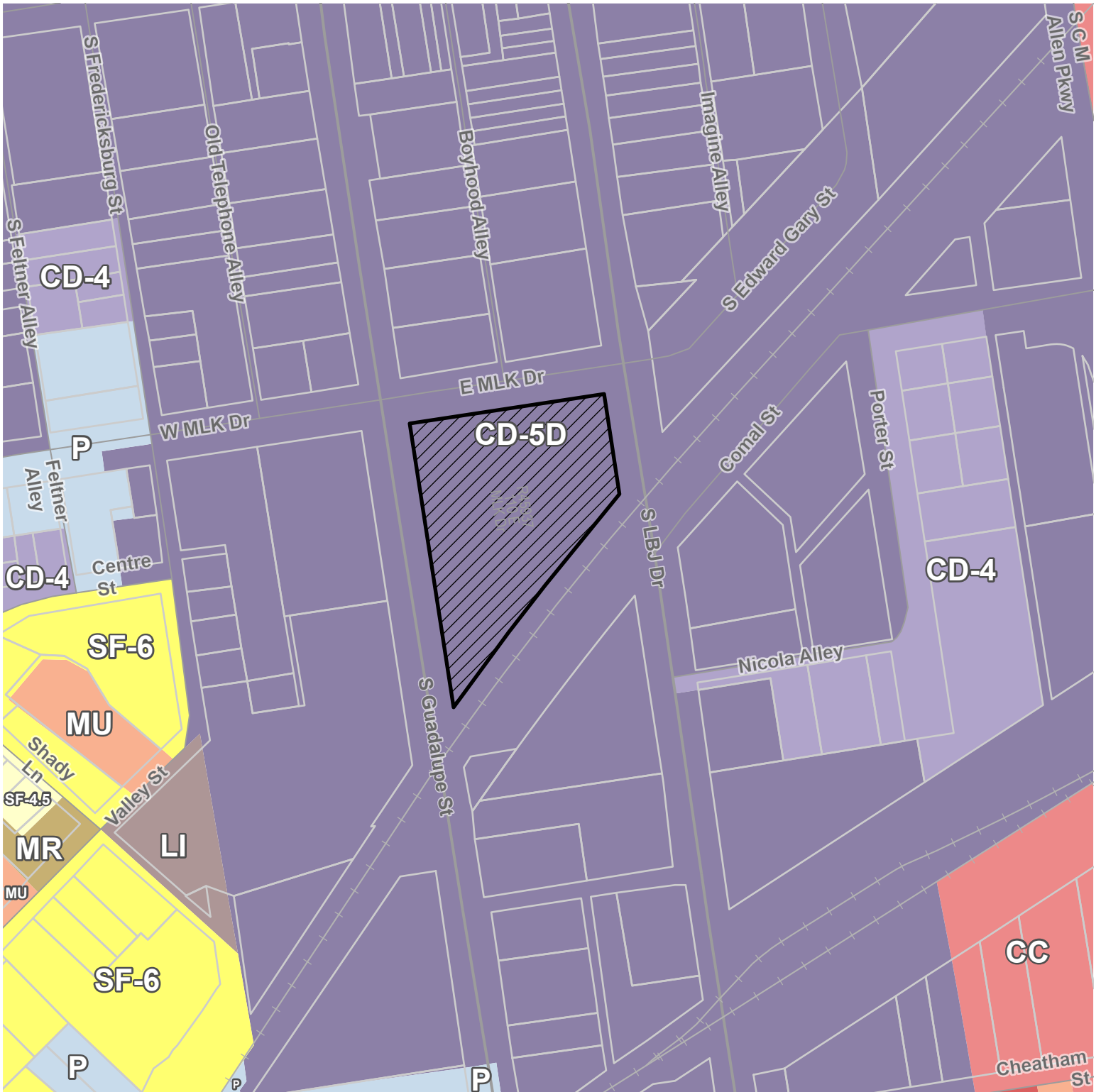


Site Location

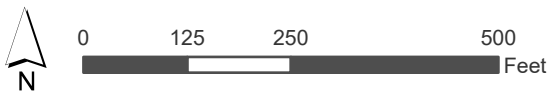


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 6/3/2026



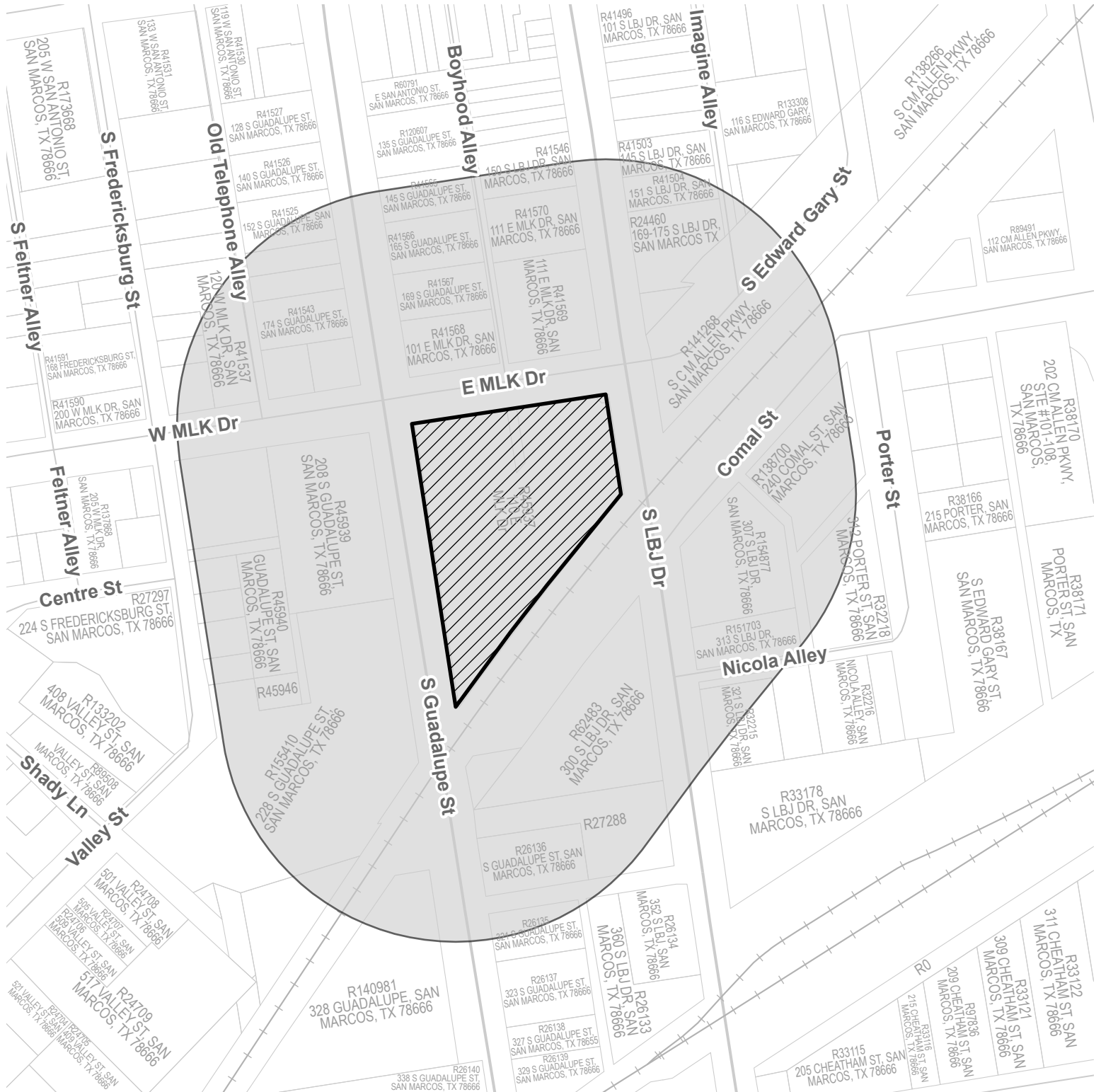
- | | | | |
|--|------------------|--|--------|
| | Subject Property | | MR |
| | CC | | MU |
| | CD-4 | | P |
| | CD-5D | | SF-4.5 |
| | GC | | SF-6 |
| | LI | | |






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Date: 6/3/2026





-  Subject Property
-  400 ft. Buffer
-  Parcel



Site Location



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 6/3/2026

PLANNING AND DEVELOPMENT SERVICES



6/5/2026

CUP-26-31

**Conditional Use Permit Request
Sale of Beer & Wine
110 E MLK Drive Suite 130**

CUP-26-31 (Bluebonnet Copacking) Hold a public hearing and consider a request by Brian Smittle, on behalf of Bluebonnet Copacking, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK Drive Suite 130. (C. Garrison)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at a hybrid, virtual / in person, meeting by the Planning and Zoning Commission on **Tuesday, June 23, 2026** at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: <http://sanmarcostx.gov/541/PZ-Video-Archives>. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission, but wish to comment, you may write to the below address. **All written comments and requests to participate must be received before 12 PM on the day of the meeting.**

For Planning & Zoning Commission

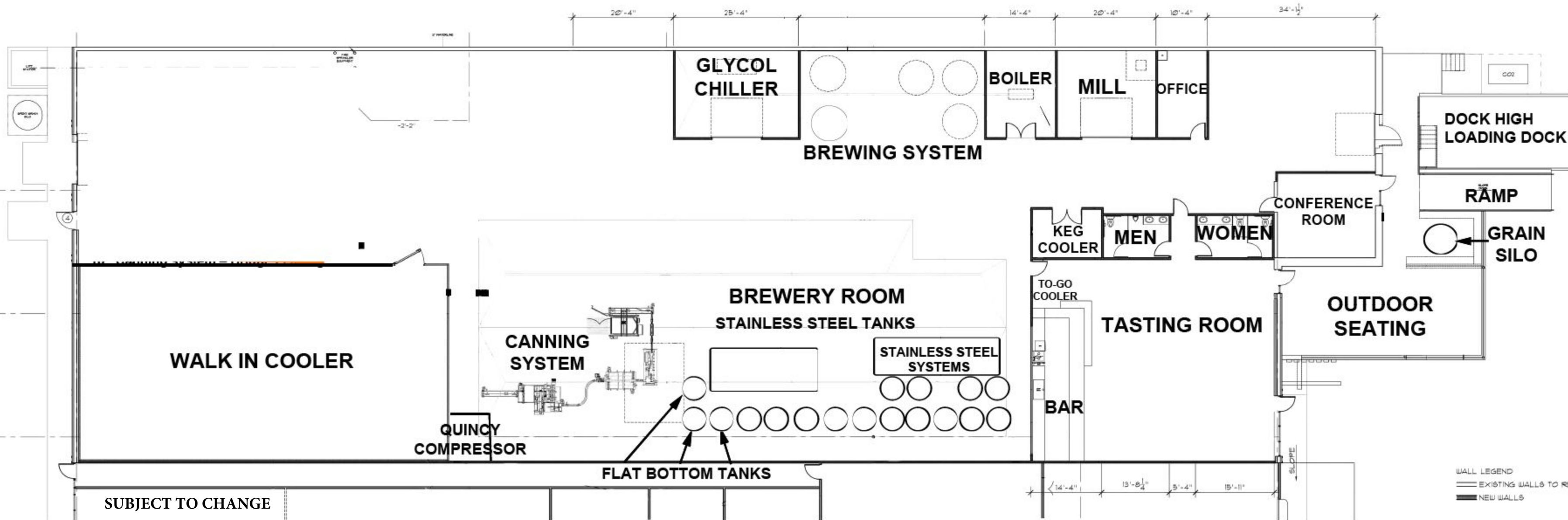
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, **Craig Garrison**, at **512.805.2649** or cgarrison@sanmarcostx.gov. When calling, please refer to case number **CUP-26-31**.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)

Property ID	Site Address	Owner	Owner Address	Owner City/ State/ Zip
155410	228 S GUADALUPE ST, SAN MARCOS, TX 78666	228 GUADALUPE LLC	7630 RED BAY CT	DUBLIN, OH 43016-9483
154877	307 S LBJ DR, SAN MARCOS, TX 78666	307 S LBJ REALTY LLC	2702 ROCKINGHAM DR	AUSTIN, TX 78704-3815
32218	312 PORTER ST, SAN MARCOS, TX 78666	312 BJ STREET LLC	6904 CREEDMOOR RD	AUSTIN, TX 78719-3110
26135	321 S GUADALUPE ST, SAN MARCOS, TX 78666	APANTE INVESTMENTS LP	PO BOX 160788	AUSTIN, TX 78716-0788
27288		BARBER W G ESTATE	ABANDONED PROPERTY	, 00000
41540	138 W MLK DR, SAN MARCOS, TX 78666	BARBER, CURTIS	138 W MARTIN LUTHER KING DR	SAN MARCOS, TX 78666-5521
131959	EDWARD GARY ST, SAN MARCOS, TX 78666	BREIHAN, STACY	1444 HIGHLAND DR	SAN MARCOS, TX 78666-3002
41546	150 S LBJ DR, SAN MARCOS, TX 78666	BWB2 LP	11701 BEE CAVES RD	BEE CAVE, TX 78738-5014
41537	120 W MLK DR, SAN MARCOS, TX 78666	CENTURYTEL OF SAN MARCOS INC	Attn: VICE PRESIDENT OF REAL ESTATE	BROOMFIELD, CO 80021-8254
62483	300 S LBJ DR, SAN MARCOS, TX 78666	COMPASS BANK	PO BOX 10566	BIRMINGHAM, AL 35296-0001
41568	101 E MLK DR, SAN MARCOS, TX 78666	DOZIER DIRK & KATHERINE	P O BOX 160667	AUSTIN, TX 78716-0667
41542	104 MLK DR, SAN MARCOS, TX 78666	EAST HOPKINS LLC	120 W HOPKINS ST	SAN MARCOS, TX 78666-5637
41566	165 S GUADALUPE ST, SAN MARCOS, TX 78666	EKP GUADALUPE SM LLC	5615 MC CARTY LN	AUSTIN, TX 78749-2027
41567	169 S GUADALUPE ST, SAN MARCOS, TX 78666	FACUNDO AND SONS INC	169 S GUADALUPE ST	SAN MARCOS, TX 78666-5531
41503	145 S LBJ DR, SAN MARCOS, TX 78666	FRAYEZUR PROPERTIES LTD	P O BOX 629	SAN MARCOS, TX 78667-0629
138700	240 COMAL ST, SAN MARCOS, TX 78666	KNICKERBOCKER INTERESTS LLC	1502 THE HIGH RD	AUSTIN, TX 78746-2234
32214	210 NICOLA ALLEY, SAN MARCOS, TX 78666	LALI INVESTMENTS LLC	614 MILL ST	SAN MARCOS, TX 78666-6731
41504	151 S LBJ DR, SAN MARCOS, TX 78666	MAY JUSTIN ALAN	214 River Hills DR	San Marcos, TX 78666-9536
45937	110 E MLK DR, STE #102, SAN MARCOS, TX 78666	MLKSM LLC	510 HEARN ST	AUSTIN, TX 78703-4516
26133	360 S LBJ DR, SAN MARCOS, TX 78666	MUZUN INVESTMENTS LLC	P O BOX 160788	AUSTIN, TX 78716-0788
151703	313 S LBJ DR, SAN MARCOS, TX 78666	NICOLA MATTHEW & SHEMAINE	1540 FRONTIER	SPRING BRANCH, TX 78070-5950
41543	174 S GUADALUPE ST, SAN MARCOS, TX 78666	OWEN TECH LLC	PO BOX 82653	AUSTIN, TX 78708-2653
24460	169-175 S LBJ DR, SAN MARCOS TX	REESE, KYLE D	111 BAYRIDGE RD	LA PORTE, TX 77571-3557
45939	208 S GUADALUPE ST, SAN MARCOS, TX 78666	SAN MARCOS TELEPHONE CO INC	1025 ELDORADO BLVD	BROOMFIELD, CO 80021-8254
140981	328 GUADALUPE, SAN MARCOS, TX 78666	SANCHEZ FRANCISCO & YSLENDIA M	PO BOX 276	MARTINDALE, TX 78655
27287	S GUADALUPE ST, SAN MARCOS, TX 78666	TUTTLE LUMBER CO	PO BOX 357	LOCKHART, TX 78644-0357
41565	145 S GUADALUPE ST, SAN MARCOS, TX 78666	WARREN, BOBBY	126 S LBJ DR	SAN MARCOS, TX 78666
32215	321 S LBJ DR, SAN MARCOS, TX 78666	WELCH, KERMIT	2916 SHADOW DR W	ARLINGTON, TX 76006-2722
41505	118 1/2 EDWARD GARY ST, SAN MARCOS, TX 78666	WESTLAKE INVESTMENT CORP	1509 GUADALUPE STE 200	AUSTIN, TX 78701
41545	164 S GUADALUPE ST, SAN MARCOS, TX 78666	ZUGHAIYER, MOHAMMAD	24 YELLOWSTONE WAY	PACIFICA, CA 94044-3740
		Samantha Benavides	455 Lindsey St.	SAN MARCOS, TX 78666
		Bobbie Garza-Hernandez	122 Riviera St.	SAN MARCOS, TX 78666
		Amy Thomaides (President)	1131 W MLK Dr	SAN MARCOS, TX 78666
		Ramona & Rudy Rodriguez	533 Hull St	SAN MARCOS, TX 78666
		John Thomaides	813 Arizona	SAN MARCOS, TX 78666
		Michael Adams	106 Losoya Dr	SAN MARCOS, TX 78666



1 FLOOR PLAN
SCALE: 3/32" = 1'-0"

WALL LEGEND
 ——— EXISTING WALLS TO REMAIN
 ——— NEW WALLS

Crossroads Center

38,206 SF

San Marcos, TX



Bluebonnet

Copacking

Pending

21,444 SQ. FT.



2,200 sq. ft.

Tasting Room

Patio 2,200 sq. ft.

Patio

ALL DIMENSIONS NOTED ARE APPROXIMATE ACCORDING TO PLANS AND HAVE NOT BEEN FIELD VERIFIED. ANY DISCREPANCIES ARE TO REPORTED TO PROPERTY OWNER AND ARCHITECT FOR VERIFICATION.

Gus's Fried Chicken
2,844 SQ. FT.

POWER REMODELING
4,710 SF

LITTLE CAESAR'S
1,400 SF

ROCK'S VITAMINS
1,200 SF

TEXAS HEALTH & RACQUET CLUB
3,193 SQ. FT.

INDUSTRY
3,415 SQ. FT.

Patio

LBJ

65'-6"

47'-0"

33'-1"

39'-10"

31'-2"

Guadalupe

Gus's
2,844 SF

DC K 9F F9A C 89@B ;
4,710 SF.

LITTLE CAESAR'S
1,400 SF

ROCK'S VITAMINS
1,200 SF

TEXAS HEALTH & RACQUET CLUB
3,193 SQ. FT.

INDUSTRY RESTAURANT
3,415 SQ. FT.

Bluebonnet
21,444 SQ. FT.



110 E. MLK

MLK

Entertainment Facility Details

We have a total of six TVs, with three mounted on both the east and west-facing walls. Our indoor space is equipped with speakers on both the east and west walls, providing audio for TVs and music. Additionally, we have several speakers outside, directed toward the patio area. Please note, there are currently no outdoor TVs installed.

Proposed Food & Beverage Menu

Beverages

Our taps will feature a rotating selection of 10 craft beers, including signature brews from Thirsty Planet and Hops & Grain. Guests can enjoy classics like Thirsty Goat Amber, Bucket Head IPA, Silverback Pale Ale, Yellow Armadillo Wheat, Zoe Pale Lager, and Mosaic IPA, along with an ever-changing lineup of specialty and limited-edition releases.

Food

While we won't have an in-house kitchen, we're partnering with the restaurants in the Crossroads Center, Industry, Gus's World Famous Fried Chicken, and Little Caesars, to offer seamless food options for our guests. Customers can order directly from these restaurants and enjoy their meal in the tasting room.

Statement of Compliance with Applicable Code Standards Thirsty Planet Brewery

Thirsty Planet Brewery is committed to full compliance with all applicable local, state, and federal code standards as part of its Conditional Use Permit (CUP) application.

1. Zoning and Land Use Compliance

Thirsty Planet Brewery has successfully reinstated its zoning, allowing the property to operate as a brewery. We will continue to ensure that all operations, including brewing, distribution, and customer interactions, align with approved land use policies and comply with applicable city codes.

2. Building and Fire Code Compliance

The brewery remains in the same configuration (including equipment) as when previously occupied by Hops & Grain and AquaBrew. All brewery structures, production areas, and customer spaces comply with the International Building Code (IBC) and the local Fire Code. In Spring 2023, the electricity was transferred from Aquabrew/Shotgun Seltzer to the landlord (MLKSM). On April 24, 2023, Alex Damgaard conducted a full inspection of the premises, building, and parking lot to facilitate turning the electricity back on. The property remains in the exact same configuration as it was during Mr. Damgaard's inspection. Additionally, we received a one day certificate of occupancy for the mural grand opening celebration in October of 2024.

3. Health and Sanitation Standards

Thirsty Planet Brewery will comply with all health and sanitation regulations outlined by the Texas Department of State Health Services (DSHS) and the U.S. Food and Drug Administration (FDA).

4. Community Impact

Thirsty Planet Brewery is committed to ensuring a positive relationship with the surrounding community. We encourage community involvement through local charity events, donating proceeds, and hosting fundraisers that benefit local organizations and causes. Thirsty Planet Brewery will implement multiple bike racks around the shopping center to encourage alternate means of transportation. We have also created a spacious outdoor area designed to be family-friendly and pet-friendly, providing a relaxed and enjoyable environment for everyone.

5. Additional Compliance Considerations

Thirsty Planet Brewery will work closely with city officials to ensure compliance with any additional conditions or standards required as part of the Conditional Use Permit approval



Basic Details

[Address](#)

[Initial Info](#)

[Entity Information](#)

[Additional Info](#)

[Contact Details](#)

[Measurement Info](#)

[Property Ownership](#)

[Business Info](#)

[Warehouse Info](#)

[Contract/Agreement](#)

[60 Day Sign](#)

[Bond Information](#)

[Violations Details](#)

Basic Details

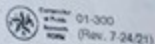
License ID	200134629	Legacy License Type	BW - Brewer's License (BW)
License Status	Active	Renewal Date	N/A
Original Issue Date	03/17/2025	Expiration Date	3/16/2027

process. We remain committed to maintaining a safe, responsible, and community-friendly brewing operation.

We appreciate the opportunity to contribute to the local economy and craft beer culture in San Marcos. Thirsty Planet Brewery looks forward to working with city officials, regulators, and the community to ensure full compliance with all applicable codes and standards.

Prepared by:

Thirsty Planet Brewery



TEXAS SALES AND USE TAX PERMIT

This permit is not transferable, and this side must be prominently displayed in your place of business.

Retailers: A seller may NOT accept a copy of this permit, plus a property tax and exemption or resale certificate. A certificate is necessary to document why tax is not collected on a sale.

TAXPAYER NAME, BUSINESS LOCATION NAME and PHYSICAL LOCATION

You must obtain a new permit if there is a change of ownership, location or business location name.

BLUEBONNET COPACKING LLC

BLUEBONNET COPACKING
110 E MARTIN LUTHER KING DR STE 130
SAN MARCOS
HAYS COUNTY

TX 78666-5542

Type of permit
SALES AND USE TAX

Taxpayer number
3-20943-0777-7

Location number
00001

First business date of location
11/01/2024

NAICS: 722410 Drinking Places (Alcoholic Beverages)

WE SHOW THIS BUSINESS IN THE FOLLOWING LOCAL SALES TAX AUTHORITIES:

CITY: SAN MARCOS

COUNTY: HAYS

EFF: 11/01/2024

EFF: 11/01/2024

TEXAS ALCOHOLIC BEVERAGE COMMISSION

BW -200134629

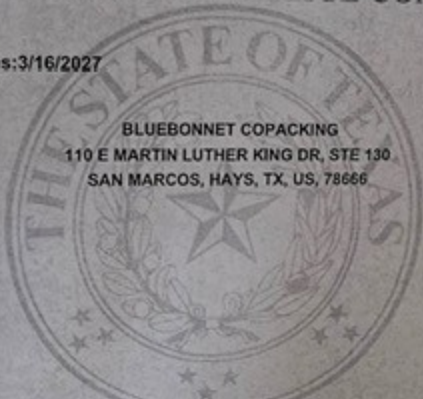
Expires:3/16/2027

BREWER'S LICENSE (BW)



BLUEBONNET COPACKING
110 E MARTIN LUTHER KING DR, STE 130
SAN MARCOS, HAYS, TX, US, 78666

BLUEBONNET COPACKING LLC


EXECUTIVE DIRECTOR

THIS PERMIT IS NOT TRANSFERABLE, MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN PLACE OF BUSINESS INDICATED HEREON. THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON PERMITTEES TO PERFORM ANY DUTY IMPOSED UPON THEM.

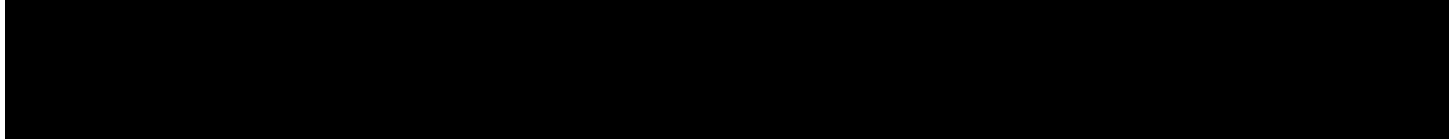
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Updated: December, 2025

CONTACT INFORMATION

SSOLF Name		Property Owner	
Company		Company	
SSOLF Address		2 Z Q H U V 0 D L Address	



PROPERTY INFORMATION

Subject Property Address : _____
 Zoning District: _____ Tax ID #: R _____
 Legal Description : Lot _____ Block _____ Subdivision _____
 Number of Parking Spaces : _____
 Is property more than 100 feet from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: _____ CUP Permit Type: Eating Establishment Bar
 NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours
 Hours of Operation (ex. Mon 12pm-1am): Mon _____ Tue _____ Wed _____
 Thurs _____ Fri _____ Sat _____ Sun _____
 Indoor Seating Capacity: _____ Outdoor Seating Capacity: _____ Gross Floor Area: _____

6) 3 U R G X F W L R Q \$ U H D D Q G

6) 7 D V W L Q

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 1,050* Technology Fee \$15 TOTAL COST \$1,065

Renewal/Amendment Filing Fee \$ 788* Technology Fee \$15 TOTAL COST \$803

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

Apply Online at MGOCONNECT.ORG

PROPERTY OWNER AUTHORIZATION

I, Mark Shields

(owner name) on behalf of

Bluebonnet Cospacking

(company, if applicable) acknowledge that I/we

am/are the rightful owner of the property located at

110 E. MLK, Suite 130, San Marcos, TX 78666

(address).

I hereby authorize Brian Smittle (agent name) on behalf of

Bluebonnet Copacking

(agent company) to file this application for

CUP Renewal (application type), and, if necessary, to work with

the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: mark shields

Date: 4-21-2026

Printed Name, Title: Mark Shields Manager

Signature of Agent: Brian Smittle

Date: 4-21-2026

Printed Name, Title: Brian Smittle, CEO

Form Updated December, 2025

AGREEMENT TO THE PLACEMENT OF POSTED NOTICE AND
ACKNOWLEDGEMENT OF PERSONAL REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of posted signs on the subject property, and personal notice presented to the Planning Commission and / or City Council.

- x Posted Notice : if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.
- x Personal Notice : if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$158 plus a \$ 15 technology fee.

I have read the above statements and agree to the required posted notice, as required, based on the attached application. 7KH & LW \ 1 V 3ODQQLQJ DQG 'HYHORS PHQW 6HU YLFHV 'HSDUWPHQW VW D property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of Posted/ Personal Notices and public hearing and hereby submit the attached application for review by the City.

Signature: mark shields

Date: _____

Print Name: ODUN 6KLHOGV

AGREEMENT TO THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE

The establishment must hold a valid Conditional Use Permit for the on _____-premise sale and consumption of alcohol issued and effective under [Section 2.8.3.1](#), [Section 5.1.5.5](#) and any conditions of such permit.

Where an ~~3~~ (DWLQJ (VWDE) ~~includes the sale~~ of alcohol for on premise consumption the following standards shall apply:

- x Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- x The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- x Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Where a ~~Bar~~ that primarily sells alcohol beverages for on premise consumption and may include the sale of food, the following standards shall apply:

- x The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- x Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- x Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Not all standards are listed, please review [Land Development Code Section 5.1.5.5](#) Restaurant/Bar for more information.

I have read the above standards and agree to follow City of San Marcos Land Development Code. I understand that if I do not follow the requirements, my Conditional Use Permit could be revoked. Please notify staff of any changes to the business operation.

Signature: mark shields

Date: _____

Print Name: ODUN 6KLHOGV

Form Updated December, 2025

Apply Online at MGOCONNECT.ORG



Public Hearing

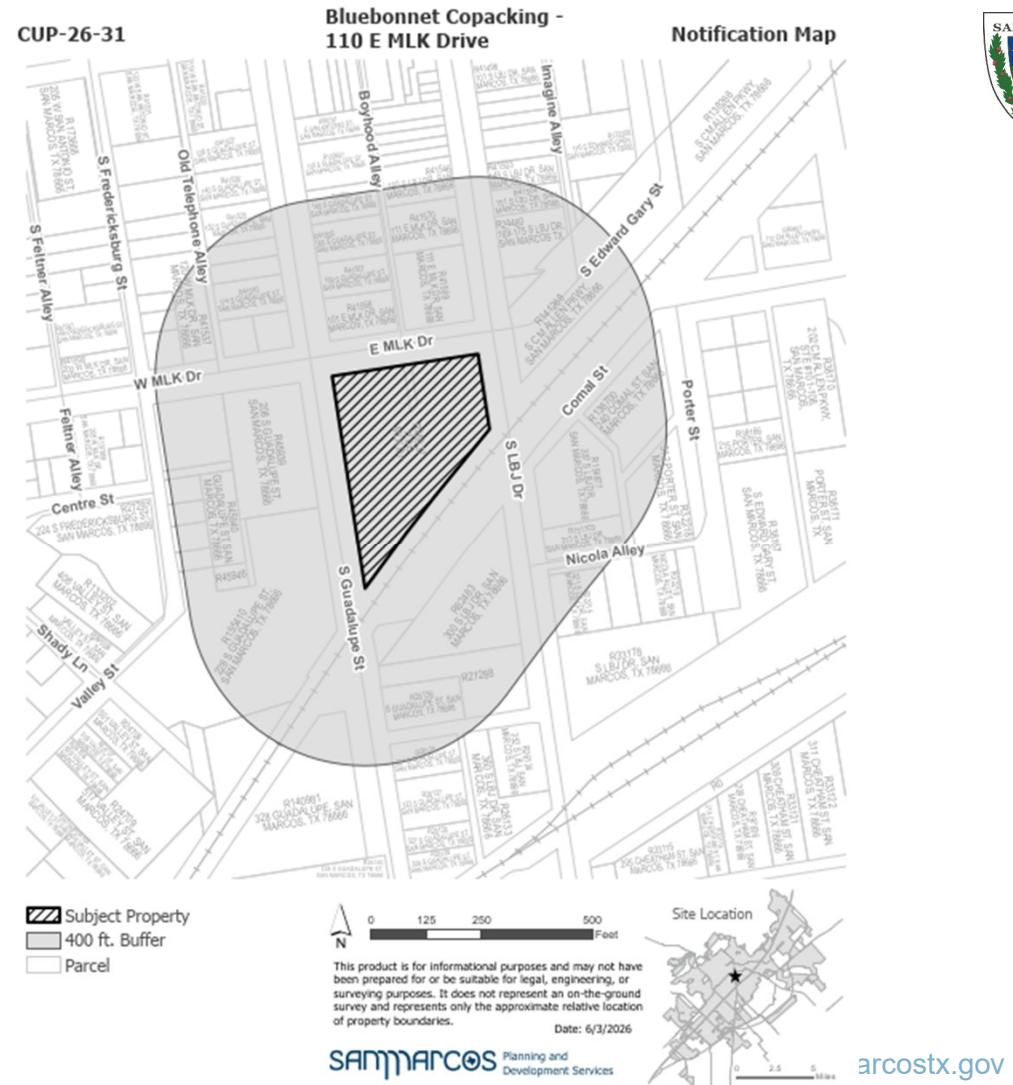
CUP-26-31

Bluebonnet Copacking

CUP-26-31 (Bluebonnet Copacking) Hold a public hearing and consider a request by Brian Smittle, on behalf of Bluebonnet Copacking, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK Drive Suite 130. (C. Garrison)

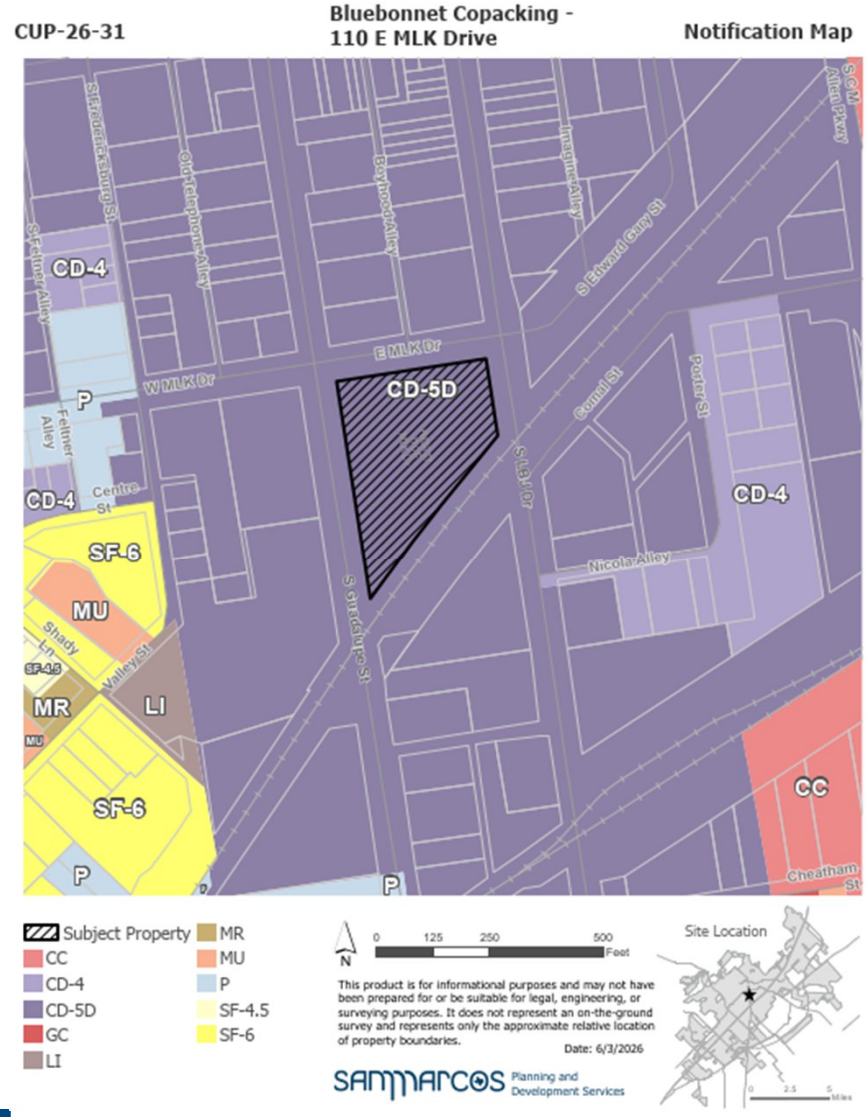
Property Information

- Approximately 2.48 acres
- Location: Southeast corner of E MLK Drive and S Guadalupe Street



Context & History

- **Existing Zoning:** Character District-5D (CD-5D)
- **Proposed Use:** Brewery
 - Thursday & Friday: 4:00 p.m. – 10:00 p.m.
 - Saturday & Sunday: 11:00 a.m. – 10:00 p.m.
 - Potential: Monday – Sunday: 8am – 10pm
- **CUP Expiration Date:** April 22, 2026
- **Police Calls:** None





Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4
<u>X</u>			Aligns with the adopted comprehensive plan?
<u>X</u>			Complies with any applicable small area plan or neighborhood studies?
		<u>X</u>	Meets the purpose and intent of the current zoning district regulations?
<u>X</u>			Preserves surrounding character and mitigates impacts (traffic, noise, drainage, visual effects, etc)?
<u>X</u>			Does not create hazardous pedestrian or vehicle traffic conflicts?
<u>X</u>			Includes roadway improvements or controls to reduce neighborhood traffic impacts?



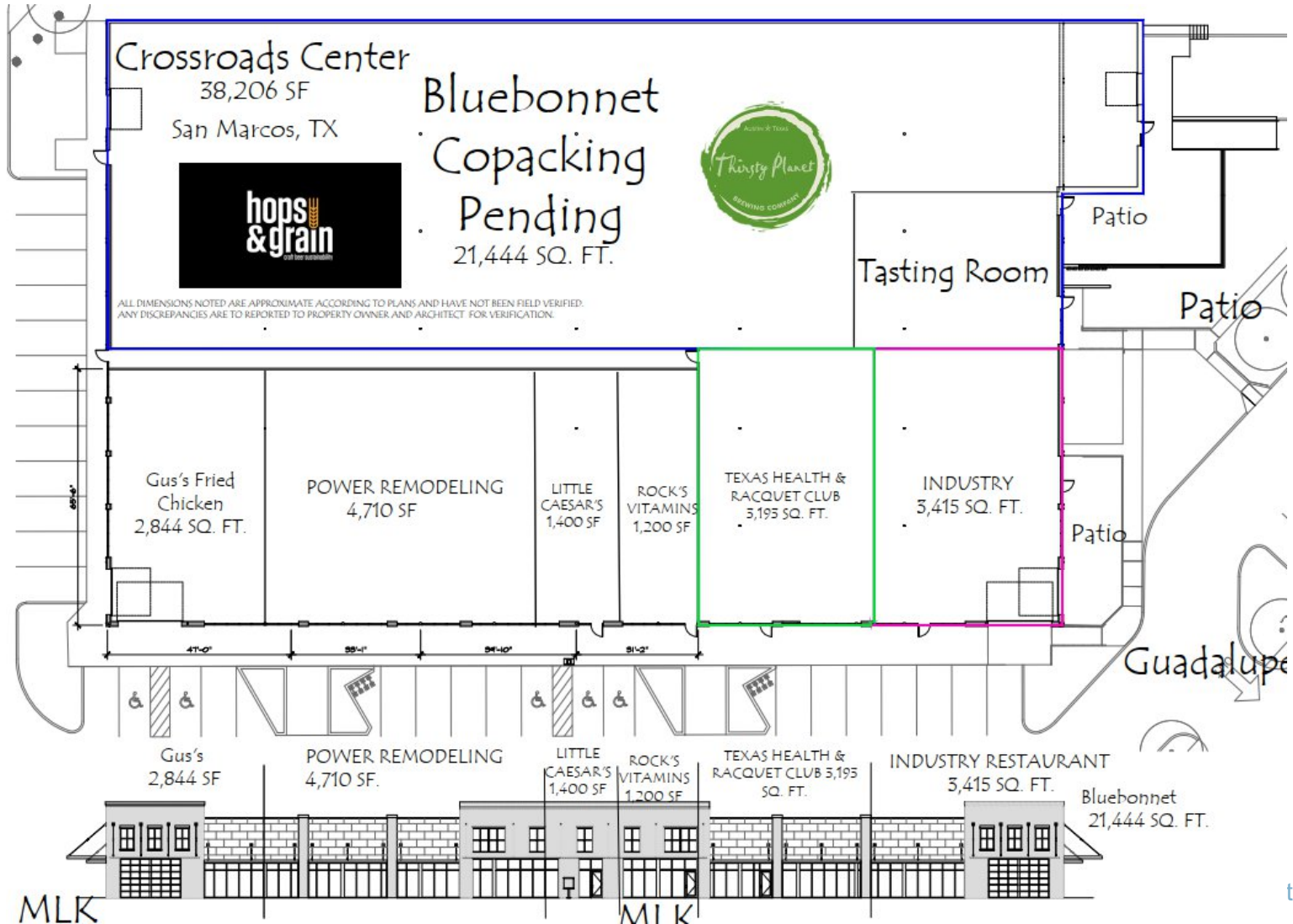
Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4 Continued
		<u>X</u>	Incorporates design features to reduce visual and other negative effects on adjacent properties?
<u>X</u>			Meets district standards, or any requested variations are necessary for neighborhood compatibility?

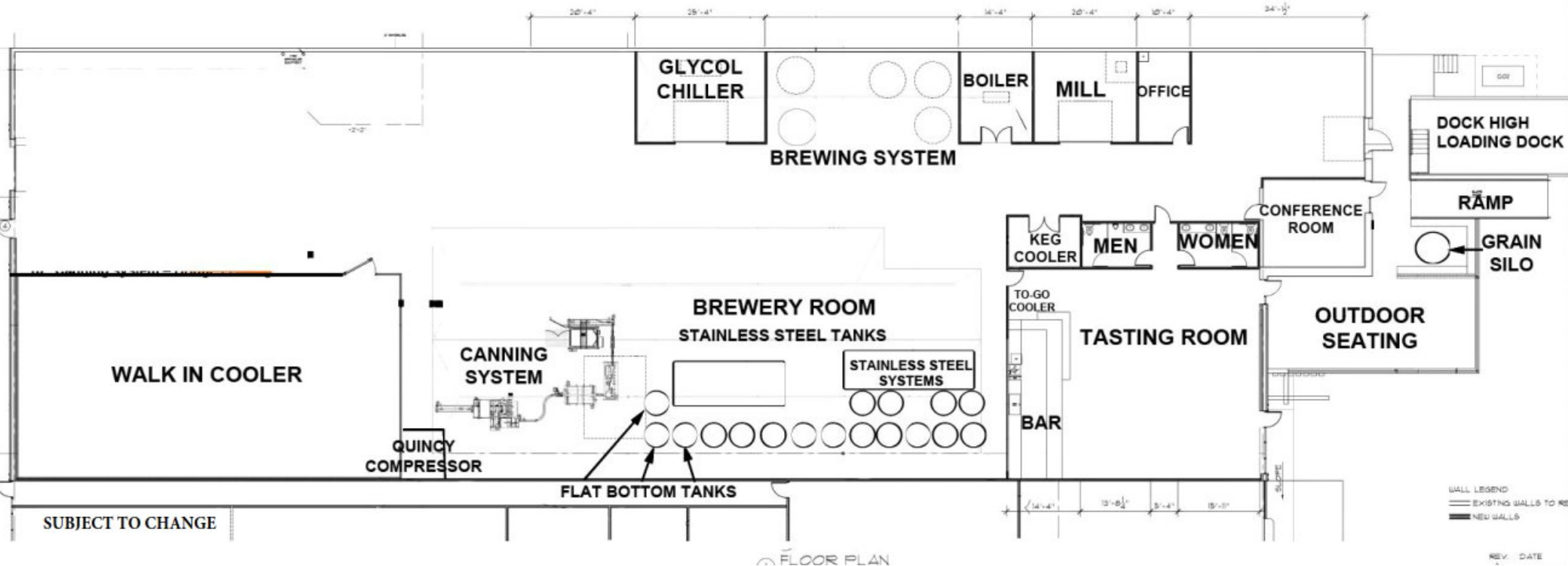
C	I	N/A	Criteria for Approval – Sec. 5.1.5.5
<u>X</u>			Located at least 300 feet from detached single-family homes in single-family-only districts?
<u>X</u>			Located at least 300 feet from churches, schools, and public hospitals?
<u>X</u>			Located at least 1,000 feet from any public or private school?

Site Plan

Taproom and
Patio are
2,200 sq. ft.



Floor Plan



SUBJECT TO CHANGE

FLOOR PLAN

sanmarcostx.gov



Recommendation

Staff recommends approval of CUP-26-31 with the following conditions:

1. This permit shall be valid for three (3) years, and shall expire June 23, 2029, provided standards are met;
2. No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than 12am.
3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);
4. The number of 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
5. This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Conditions Matrix

Conditional Use Permits for Sale of Alcohol for on-premise consumption

The guidance below was recommended by the Joint City Council / Planning and Zoning Commission Conditional Use Permit Committee in February 2026 and will be used by staff when considering conditions for Conditional Use Permits for On-Premise Consumption of Alcohol. Not all conditions may be applicable to each business in the noted location, and additional conditions may be deemed appropriate. The City of San Marcos Planning and Zoning Commission shall have discretion in determining which conditions are appropriate for each business.

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Term	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.
Amplified Sound (Sunday – Thursday)	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.	No outdoor Amplified Sound shall be permitted Sunday – Thursday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.
Amplified Sound (Friday – Saturday)	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Background Sound (Sunday – Thursday)	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.
Background Sound (Friday – Saturday)	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Friday – Saturday.
Cleanliness	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.B.7)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)
Food	N/A	Staff will copy and paste all text under Section 5.1.5.5.B.4.b Eating Establishment within Downtown CBA Boundary as a condition.	N/A	N/A
Hours	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	N/A

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Occupancy (Fire)	The number of 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.	The number of 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.	The number of 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.	The number of 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.
Posting	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Definitions

The following definitions will be used when interpreting the above conditions:

CBA Bar: “A facility that primarily sells alcoholic beverages for on premise consumption and may include the sale for food” (LDC Section 5.1.5.5.C) and is located in the Downtown Central Business Area (CBA) boundary.

CBA Restaurant: “A facility that prepares and sells food and drink that may or may not include the sale of alcohol for on premise consumption” (LDC Section 5.1.5.5.B) and is located in the Downtown Central Business Area (CBA) boundary.

300 feet of SF Use: A property whether zoned or used as a single-family residence, whether for sale or for rent, which is located within 300 feet from the nearest entrance, including staff entrances, of the business measured in a straight line from the business entrance to the residence’s structure. This measurement is provided as guidance only; staff may use discretion given circumstances such as:

- Businesses with entrances which may be permanently open during operating hours, such as open-air businesses with garage style doors.
- The types of buildings between the business and residence which may block sound.

Sound Amplifying Equipment: any electronically powered, operated, or assisted device used for the enhancement or amplification of the human voice, music, or any other sound including, but not limited to, amplifiers (amps), microphones, speakers, sound systems, or other similar devices.

Amplified Sound: instrumental, digital, or vocal sounds which are made louder using sound amplifying equipment, in accordance with Section 7.4.2.1 at the property line of the associated business.

Acoustic Sound: instrumental or vocal sounds which are not amplified using sound amplifying equipment.

Background Sound: amplified sound intended to enhance the ambiance of the business in which it is being played, and which should not be plainly audible at the property line of the associated business.

Plainly Audible: any amplified or acoustic sound which can be detected by the average person without the aid of hearing devices.

Outdoor: any unconditioned areas of the business such as a patio or rooftop.

Entrée: a meat serving, pasta dish, pizza, sandwich, or similar food that serves as the main course for a meal.



Legislation Text

File #: CUP-26-32, **Version:** 1

AGENDA CAPTION:

CUP-26-32 (Valentino's) Hold a public hearing and consider a request by Cody Taylor, on behalf of Valentino's, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (C. Garrison)

Meeting date: June 23, 2026

Department: Planning and Development Services

Amount & Source of Funding

Funds Required: N/A

Account or Project Number (C = CIP funds): N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

N/A

N/A

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Arts and Culture - Choose an item.
- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Housing + Neighborhoods - Choose an item.
- Land Use + Community Design and Character - Choose an item.
- Parks & Public Spaces + Health, Safety & Wellness - Choose an item.
- Transportation - Choose an item.
- Core Services

Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Senate Bill 1008 provides provisions on the city’s ability to prohibit amplified sound at a restaurant. Per this bill and staff’s analysis, the City can enforce the existing noise ordinance.

Valentino’s has held a “Restaurant (Eating Establishment)” Conditional Use Permit (CUP) since 2021. In accordance with the Development Code, a “Restaurant (Eating Establishment)” located within the Central Business Area (CBA) must meet certain standards related to kitchen equipment, meal periods, advertisement, and cleanliness outlined in Section 5.1.5.5.B.4.b.

2022: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions. Approved with an effective date of July 29, 2022.

2023: The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for three years with conditions. The CUP was amended to include the outdoor patio (570 sq ft) and a sidewalk café.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

Staff recommends **approval** with the following conditions:

1. This permit shall be valid for three (3) years, and shall expire October 10, 2029, provided standards are met;
2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);
3. The number of 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
4. This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Conditional Use Permit	110 N. LBJ Drive
CUP-26-32	Valentino's



Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Cody Taylor 110 N. LBJ Drive San Marcos, TX, 78666	Property Owner:	Mark Shields 510 Hearn St Austin, TX 78701
CUP Expiration:	October 10, 2026	Type of CUP:	CBA Restaurant Mixed Beverage
Interior Floor Area:	+/- 2,977 sq ft	Outdoor Floor Area:	+/- 1,199 sq ft
Parking Required:	0 spaces	Parking Provided:	No
Days & Hours of Operation:	Monday - Wednesday: 11am-12am; Thursday - Sunday: 11am – 3am		

Notification

Posted:	June 5, 2026	Personal:	June 5, 2026
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 8, Lot 1/2 of 7		
Location:	North of the intersection of East San Antonio Street and North LBJ Drive		
Acreage:	0.083 acres	PDD/DA/Other:	N/A
Existing Zoning:	Character District 5 Downtown (CD-5D)	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Downtown (CBA)	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown District; National Register District	My Historic SMTX Resources Survey:	Yes and Medium Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District 5 Downtown (CD-5D)	Insurance Company	Downtown High Intensity
South of Property:	Character District 5 Downtown (CD-5D)	Vacant Hays County Annex	Downtown High Intensity
East of Property:	Character District 5 Downtown (CD-5D)	Wells Fargo Bank	Downtown High Intensity
West of Property:	Public and Institutional (P)	Hays County Courthouse Square	Downtown High Intensity

Conditional Use Permit	110 N. LBJ Drive
CUP-26-32	Valentino's



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	<input type="checkbox"/>	Denial	<input type="checkbox"/>
<ol style="list-style-type: none"> 1. This permit shall be valid for three (3) years, and shall expire October 10, 2029, provided standards are met; 2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D); 3. The number of 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 4. This permit shall be posted in the same area and manner as the Certificate of Occupancy. 					
Staff: Craig Garrison		Title: Planner		Date: June 17, 2026	

History

Valentino's has held a "Restaurant (Eating Establishment)" Conditional Use Permit (CUP) since 2021. In accordance with the Development Code, a "Restaurant (Eating Establishment)" located within the Central Business Area (CBA) must meet certain standards related to kitchen equipment, meal periods, advertisement, and cleanliness outlined in Section 5.1.5.5.B.4.b.

2022: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions. Approved with an effective date of July 29, 2022.

2023: The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for three years with conditions. The CUP was amended to include the outdoor patio (570 sq ft) and a sidewalk café.

Additional Analysis

Senate Bill 1008 provides provisions on the city's ability to prohibit amplified sound at a restaurant. Per this bill and staff's analysis, the City can enforce the existing noise ordinance.

Comments from Other Departments

Police	See Attached Police Report
Fire	Comment
Public Services	Comment
Engineering	Comment
Health/Code Compliance	See Attached Report

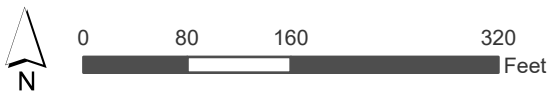
Conditional Use Permit CUP-26-32	110 N. LBJ Drive Valentino's
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Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
<u>X</u>			The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <i>The proposed business meets goals, such as fostering small businesses, written in the Downtown Area Plan</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.
		<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.



 Subject Property

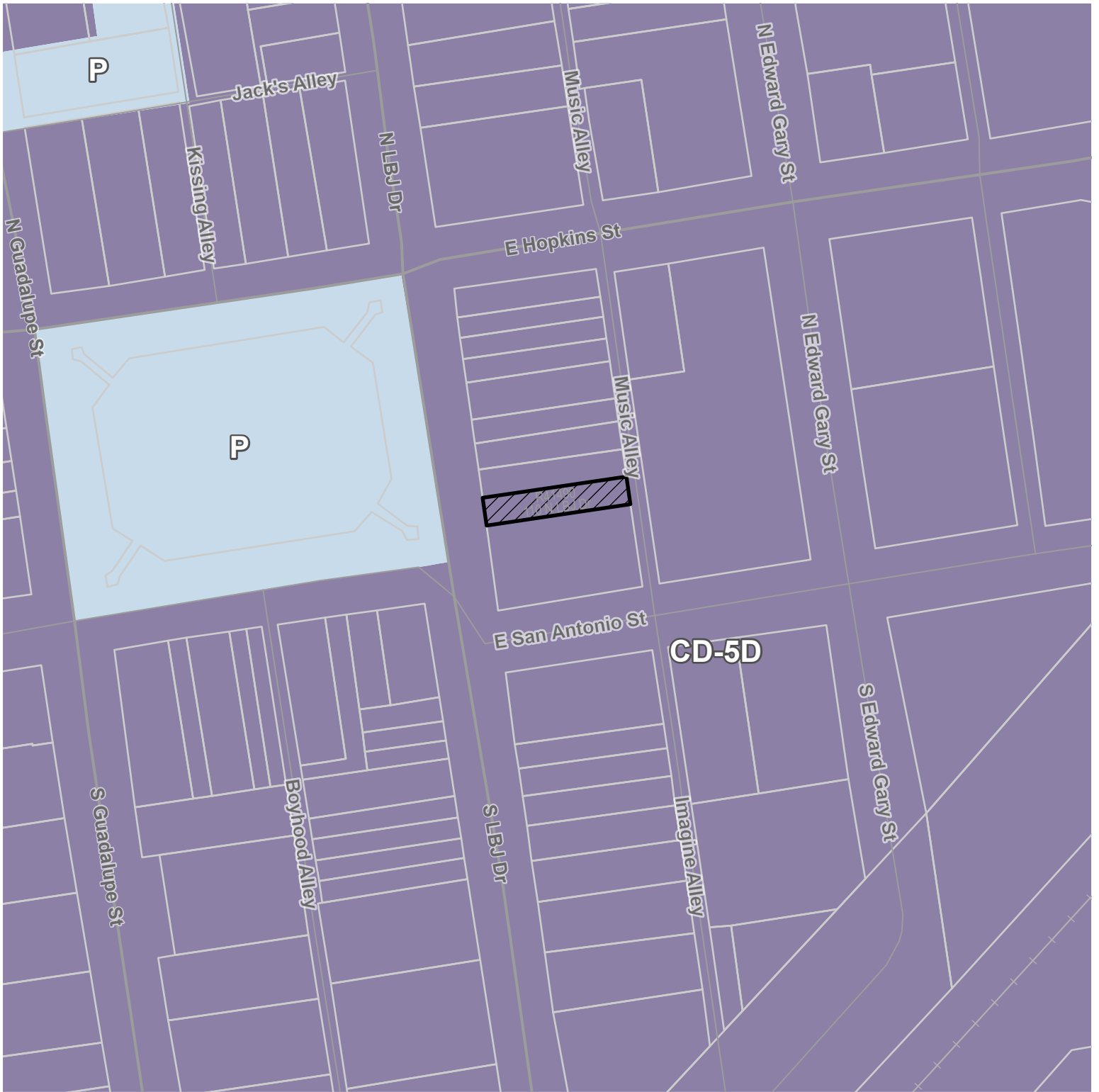





Site Location

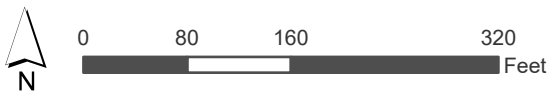


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 6/3/2026



-  Subject Property
-  CD-5D
-  P






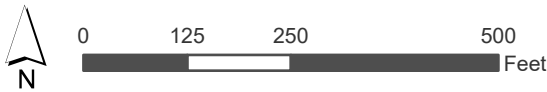
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Date: 6/3/2026





-  Subject Property
-  400 ft. Buffer
-  Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 6/3/2026

Site Location



PLANNING AND DEVELOPMENT SERVICES



6/5/2026

CUP-26-32

**Notice of Public Hearing
Conditional Use Permit Request
Sale of Mixed Beverages
110 North LBJ Drive**

CUP-26-32 (Valentino's) Hold a public hearing and consider a request by Cody Taylor, on behalf of Valentino's, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (C. Garrison)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at a hybrid, virtual / in person, meeting by the Planning and Zoning Commission on **Tuesday, June 23, 2026** at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: <http://sanmarcostx.gov/541/PZ-Video-Archives>. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission, but wish to comment, you may write to the below address. **All written comments and requests to participate must be received before 12 PM on the day of the meeting.**

For Planning & Zoning Commission

Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, **Craig Garrison**, at **512.805.2649** or cgarrison@sanmarcostx.gov. When calling, please refer to case number **CUP-26-32**.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)

Property ID	Site Address	Owner	Owner Address	Owner City/ State/ Zip
41487	118-120 N LBJ DR, SAN MARCOS, TX 78666	118-120 N LBJ LLC	118 N LBJ DR	SAN MARCOS, TX 78666-5620
41485	138 N LBJ DR, SAN MARCOS, TX 78666	126 & 138 N LBJ SERIES	901 E CESAR CHAVEZ ST	AUSTIN, TX 78702-4205
41499	133 S LBJ DR, SAN MARCOS, TX 78666	133 S LBJ LLC	501 BLANCO RIVER RANCH RD	SAN MARCOS, TX 78666-8515
41480	202 N LBJ DR, SAN MARCOS, TX 78666	202 NORTH LBJ VENTURE GROUP LP	2606 RANCH ROAD 620 N	AUSTIN, TX 78734-2628
41554	118 S LBJ DR, SAN MARCOS, TX 78666	78 TRIPLE 6 INVESTMENTS LLC	205 E MIMOSA CIR	SAN MARCOS, TX 78666-3707
41625	145 E HOPKINS ST, SAN MARCOS, TX 78666	B L SCOFIELD INC	127 E Hopkins ST	San Marcos, TX 78666-5611
41563	100 E SAN ANTONIO ST, SAN MARCOS, TX 78666	BLARCK LTD PARTNERSHIP	400 ROLLING HILLS DR	WIMBERLEY, TX 78676-4222
41560	114 E SAN ANTONIO ST, SAN MARCOS, TX 78666	BW BOWDEN PROPERTIES INC	307 HUNTERS GLEN DR	SAN MARCOS, TX 78666-7154
41546	150 S LBJ DR, SAN MARCOS, TX 78666	BWB2 LP	11701 BEE CAVES RD	BEE CAVE, TX 78738-5014
41482	304 E SAN ANTONIO ST, SAN MARCOS, TX 78666	CARSON DIVERSIFIED PROPERTIES LP	407 S STAGECOACH TRL	SAN MARCOS, TX 78666-5063
41486	124 N LBJ DR, SAN MARCOS, TX 78666	EFW HOLDINGS INC	124 N LBJ DR	SAN MARCOS, TX 78666-5620
41548	142 S LBJ DR, SAN MARCOS, TX 78666	FINCH, JOHNNY L	P O BOX 118	SAN MARCOS, TX 78667-0118
41559	118 E SAN ANTONIO ST, SAN MARCOS, TX 78666	GRIZZLE DAVID RANDAL	118 E SAN ANTONIO ST	SAN MARCOS, TX 78666
41461	100 N EDWARD GARY ST, SAN MARCOS, TX 78666	HANSON-SKILES CONSTANCE MARIE FAMILY BYPASS TRUST	4111 HAMILTON HOLLOW RD	SAN MARCOS, TX 78666-9542
41467	219 E HOPKINS ST, SAN MARCOS, TX 78666	HAYSCO SM LLC	407 S STAGECOACH TRL	SAN MARCOS, TX 78666-5063
41562	110 E SAN ANTONIO ST, SAN MARCOS, TX 78666	HOHN JOHN Y LIFE ESTATE	MARK B JANSSEN	SAN MARCOS, TX 78666
41561	108 E SAN ANTONIO ST, SAN MARCOS, TX 78666	JAMES K WISE REAL ESTATES INC	6325 REDWOOD RD	SAN MARCOS, TX 78666
41553	136 E SAN ANTONIO ST, SAN MARCOS, TX 78666	LARRY W MURPHREE SPOUSAL TRUST	MURPHREE DONNA A TRUSTEE	SAN MARCOS, TX 78666
129054	214 E SAN ANTONIO, SAN MARCOS, TX 78666	LINDSEY LOFTS LTD	P O BOX 91383	AUSTIN, TX 78709-1383
41496	101 S LBJ DR, SAN MARCOS, TX 78666	LONGHORN INVESTMENTS LLP	3308 AVENAL DR	AUSTIN, TX 78738-5367
41555	120 S LBJ DR, SAN MARCOS, TX 78666	MENDEZ, RONNIE A	120 S LBJ DR	SAN MARCOS, TX 78666
41490	110 N LBJ DR, SAN MARCOS, TX 78666	MLKSM LLC	510 HEARN ST	AUSTIN, TX 78703-4516
41460	308 E HOPKINS ST, SAN MARCOS, TX 78666	NCNB TEXAS NATIONS BANK	BANK OF AMERICA, CORPORATE REAL ESTATE ASSESSMENTS	CHARLOTTE, NC 28232-2547
41501	135-139 S LBJ DR, SAN MARCOS, TX 78666	NICOLA WILLIAM CHARLES &	NICOLA ROBERT JAMES	HOUSTON, TX 77077
41626	129 E HOPKINS ST, SAN MARCOS, TX 78666	ONIONS R US LLC	710 ARROW POINT DR	CEDAR PARK, TX 78613-6655
41483	142 N LBJ DR, SAN MARCOS, TX 78666	OUSEY, MICHAEL	211 CLAREMONT DR	SAN MARCOS, TX 78666-7335
41466	217 E HOPKINS ST, SAN MARCOS, TX 78666	PIPER JAMES M & TAMARA P	186 PICO CT	SAN MARCOS, TX 78666-1847
133308	116 S EDWARD GARY, SAN MARCOS, TX 78666	RADIANT SOLUTIONS INC	P O BOX 91383	AUSTIN, TX 78709-1383
41502	143 S LBJ DR, SAN MARCOS, TX 78666	REIBER MATTHEW ALLEN &	REIBER DAVID TYLER	SAN MARCOS, TX 78666
41498	125 S LBJ DR, SAN MARCOS, TX 78666	S LBJ 125 LLC	501 BLANCO RIVER RANCH RD	SAN MARCOS, TX 78666-8515
41556	144 E SAN ANTONIO ST, SAN MARCOS, TX 78666	SCANIO MICHAEL E TRUSTEE	SCANIO BUILDING MANAGEMENT TRUST	SAN MARCOS, TX 78666
41488	122 N LBJ DR, SAN MARCOS, TX 78666	SERUR JOHN & JUDITH L LIVING TRUST	SERUR JOHN & JUDITH L CO-TRUSTEES	AUSTIN, TX 78737-8856
41549	130 S LBJ DR, SAN MARCOS, TX 78666	SIERRA ALBERT PHILLIP	118 ALGARITA	SAN MARCOS, TX 78666
41624	139 E HOPKINS ST, SAN MARCOS, TX 78666	SLOAN JAMES LLC	139 E HOPKINS ST	SAN MARCOS, TX 78666-5678
41558	130 E SAN ANTONIO ST, SAN MARCOS, TX 78666	SMTX COMMERCIAL BENEFIT AID LLC	PO BOX 911	SAN MARCOS, TX 78667-0911
120607	135 S GUADALUPE ST, SAN MARCOS, TX 78666	SOUTH GUADALUPE PARTNERS LTD	7609 BAJA CV	AUSTIN, TX 78759
41482	216 E HOPKINS ST, SAN MARCOS, TX 78666	TEXAS P B REAL ESTATE LP	113 W PUBLIC SQUARE STE 200	GLASOW, KY 42141-2413
41557	120 E SAN ANTONIO ST, SAN MARCOS, TX 78666	THE MARC ON THE SQUARE LLC	1101 TATE TRL	SAN MARCOS, TX 78666-5225
41494	119 S EDWARD GARY ST, SAN MARCOS, TX 78666	VICTORIA BANK & TRUST	100 CONGRESS AVE	AUSTIN, TX 78701-2750
41489	114-116 N LBJ DR, SAN MARCOS, TX 78666	WALDRIP, MARTHA JANE	PO BOX 805	SAN MARCOS, TX 78667-0805
41550	126 S LBJ DR, SAN MARCOS, TX 78666	WARREN, ROBERT L	126 S LBJ DR	SAN MARCOS, TX 78666
		Samantha Benavides	455 Lindsey St.	SAN MARCOS, TX 78666
		Michael Adams	106 Losoya Dr	SAN MARCOS, TX 78666
		Amy Thomaides	1131 W MLK Dr	SAN MARCOS, TX 78666



Incident Search Result

Results



Agency: SMPD

Print Date/Time: 6/4/2026 08:27

Agency #: TX1050100

Incident #	Call Date/Time	Type	Officers	Location	Common Name	Dispositions	Description
2026-00024568	5/31/2026 2:28:05 AM	Assault	smpd13960 - McClain, John *, smpd14265 - SCHREIHART, DRAKE *, sm	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Citation Issued - 1	No other info
2026-00021103	5/9/2026 2:09:39 AM	Assault	smpd12772 - Contreras, Ysidro *, smpd13731 - Ochoa, Matthew *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 3	Parties seperated
2026-00020932	5/8/2026 12:39:54 AM	Noise Complaint	smpd12772 - Contreras, Ysidro *, smpd13731 - Ochoa, Matthew *, s	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Canceled - 1, No Report - 2	spoke to Valentino employee, educated her on the city ordinance
2026-00018822	4/25/2026 2:40:40 AM	Assault	smpd12121 - Daenzer, Matthew *, smpd13730 - George, Daniel *, sm	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 3	Parties seperated
2026-00015297	4/3/2026 2:21:35 AM	Damaged Property	smpd12772 - Contreras, Ysidro *, smpd13892 - Ventura, Alcides *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1, Report Taken - 1	O1 was intoxicated and punched V1's vehicle causing damage to the front passenger window.
2026-00004717	1/30/2026 2:12:16 AM	Assault	smpd13361 - Foster, Norman *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1	Parties seperated
2026-00000039	1/1/2026 3:19:35 AM	Citizen Assist/Service Call	smpd14055 - Miller, Garrett *, smpd14264 - Pankow, Andrew *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1, Arrest - 1	caller states man outside in veh plastered. Male arrested for public intoxication
2025-00037528	8/29/2025 1:57:48 AM	Assault	smpd11935 - Verver, Elias *, smpd14055 - Miller, Garrett *, smpd	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 4, Arrest - 1, Report Taken - 1	Commotion in front of Valentino's. 1 Arrested for assault and public intoxication.
2025-00033126	8/3/2025 1:11:51 AM	Assault	smpd12121 - Daenzer, Matthew *, smpd12772 - Contreras, Ysidro *,	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1	Parties seperated
2025-00026395	6/20/2025 2:42:26 AM	Weapons	smpd12683 - Pierce, Basil *, smpd12772 - Contreras, Ysidro *, sm	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Canceled - 1, Report Taken - 1	During the course of the argument, the unknown female suspect attempted to open the locked door to the aforementioned business and the male suspect walked to his vehicle, advised the victim he would be back for him, lifted his shirt and displayed a firearm. The suspects were UTL upon officer arrival.
2025-00021824	5/23/2025 2:15:24 AM	Assault	smpd12683 - Pierce, Basil *, smpd13892 - Ventura, Alcides *, smp	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 3	Parties seperated on their own without becoming physical.



Incident Search Result

Results



Agency: SMPD

Print Date/Time: 6/4/2026 08:27

Agency #: TX1050100

2025-00015683	4/12/2025 1:39:08 AM	Alcohol Violation	smpd12121 - Daenzer, Matthew *, smpd13731 - Ochoa, Matthew *, sm	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 2	released going to a sober party
2024-00054352	12/29/2024 2:25:30 AM	Assault	smpd12683 - Pierce, Basil *, smpd14055 - Miller, Garrett *, smpd	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Canceled - 1, No Report - 2	PARTIES SEPARATED
2024-00036943	9/13/2024 2:55:56 AM	Welfare Concern	smpd13984 - Teuscher, Derek *, smpd14265 - Schreihart, Drake *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1	REQ MEDICS FOR INTOX MALE
2024-00033784	8/24/2024 2:07:59 AM	Threat	smpd13982 - Cortina, Jaciel *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1	Employee threatened to punch caller in the face
2024-00028560	7/19/2024 12:06:05 AM	Assault	smpd11898 - Cormier, Claudia *, smpd14048 - Wright, Jacob *, smp	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Arrest - 1, Report Taken - 1, No Report - 2, Canceled - 1	customers advised there was a male inside causing a disturbance. Shortly after, a male matching the description came out of the business highly agitated, cursing, and screaming at everyone. Arrested for public intoxication
2024-00027118	7/7/2024 1:23:38 AM	Alcohol Violation		110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Warning Issued - 1	No other info
2023-00043905	11/11/2023 3:03:38 AM	Assault	smpd11898 - Cormier, Claudia *, smpd12121 - Daenzer, Matthew *,	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 4, UTL - 1	rp stating 4 males are arguing and throwing fists at eachother outside valentinos. Males left
2023-00042927	11/4/2023 4:38:21 PM	Assist EMS / Fire	smpd13226 - Anderson, Dillan *, smpd13731 - Ochoa, Matthew *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 2	friend had a little too much to drink and is throwing up// not really responding
2023-00028720	7/29/2023 10:08:42 AM	Noise Complaint	smpd10467 - Saavedra, Tim *	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	Canceled - 1	music coming from the farmer's market was louder than the music the comp was calling in, coming from valentinos
2023-00025499	7/7/2023 1:21:58 AM	Assault	smpd12772 - Contreras, Ysidro *, smpd13226 - Anderson, Dillan *,	110 N LBJ DR, SAN MARCOS, TX 78666	VALENTINO'S SM	No Report - 1	rp works at location-people were fighting and someone pulled out a gun and pointed it at someone then he ran off

Valentino's Pizza TABC Compliance Statement

Valentino's Pizza is committed to full compliance with all applicable Texas Alcoholic Beverage Commission (TABC) laws, regulations, and requirements governing the sale, service, storage, and distribution of alcoholic beverages. The business will maintain all required permits and licenses and will operate in accordance with the Texas Alcoholic Beverage Code and TABC rules.

All employees involved in the sale or service of alcoholic beverages will be required to complete TABC-approved Seller/Server Training and maintain current certification. Staff will be trained to verify valid identification, prevent sales to minors, recognize signs of intoxication, refuse service when appropriate, and follow all responsible alcohol service practices.

Valentino's Pizza will implement procedures to ensure that alcoholic beverages are sold and served only during legally authorized hours and in compliance with all state and local regulations. Management will actively supervise alcohol service, maintain accurate records, cooperate with TABC inspections, and promptly address any compliance concerns.

Through ongoing employee education, management oversight, and adherence to responsible service standards, Valentino's Pizza is dedicated to promoting public safety and maintaining full compliance with all TABC regulations and requirements.

TEXAS ALCOHOLIC BEVERAGE COMMISSION

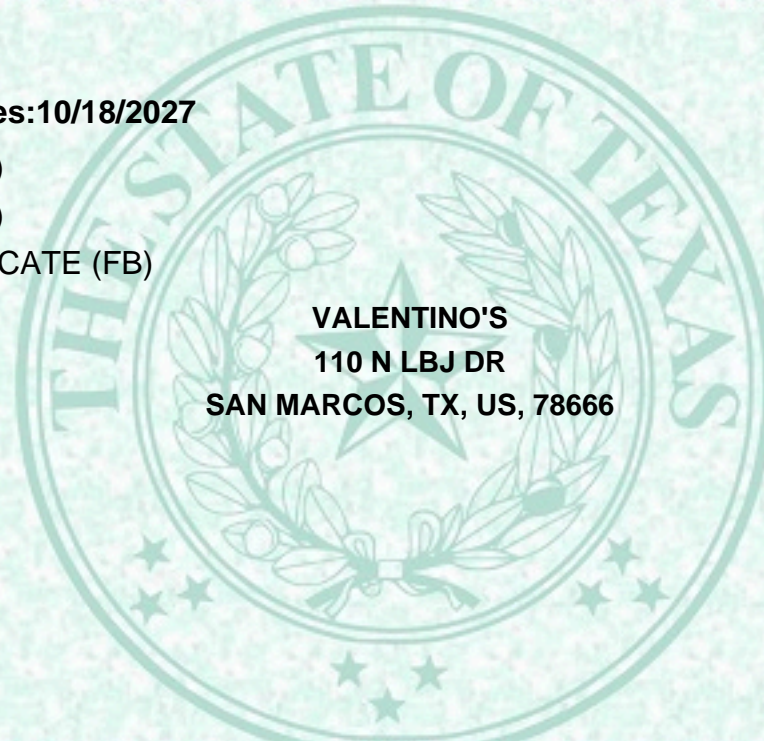
MB -200036892

Expires:10/18/2027

MIXED BEVERAGE PERMIT (MB)

LATE HOURS CERTIFICATE (LH)

FOOD AND BEVERAGE CERTIFICATE (FB)



**VALENTINO'S
110 N LBJ DR
SAN MARCOS, TX, US, 78666**

FLOUR POWER LLC

A handwritten signature in black ink, appearing to read "M. Starnes", positioned above the title "EXECUTIVE DIRECTOR".

EXECUTIVE DIRECTOR

THIS PERMIT IS NOT TRANSFERABLE, MUST BE PUBLICLY DISPLAYED AT ALL TIMES AND USED ONLY IN PLACE OF BUSINESS INDICATED HEREON THE ACCEPTANCE HEREOF CONSTITUTES AN EXPRESS AGREEMENT TO PERMIT ANY AUTHORIZED REPRESENTATIVE OF THE COMMISSION OR ANY PEACE OFFICER TO FREELY ENTER UPON PERMITEES TO PERFORM ANY DUTY IMPOSED UPON HIM.

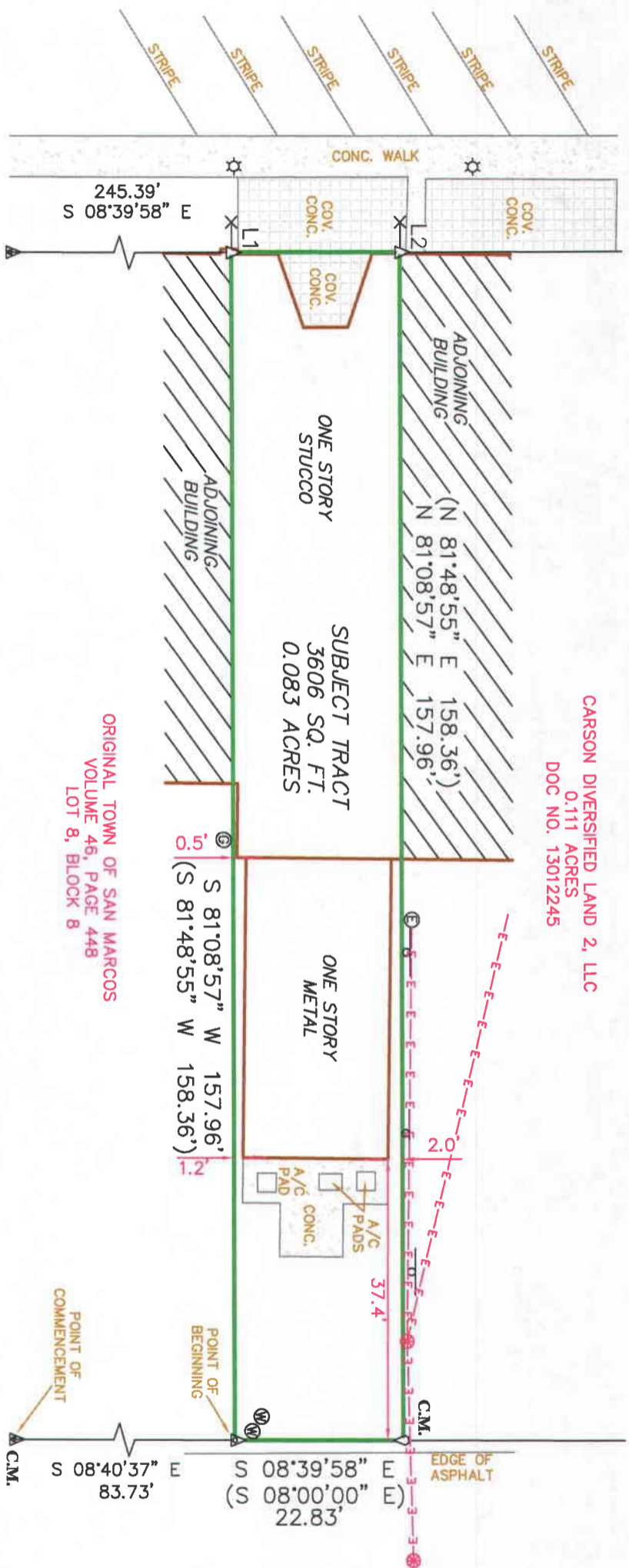
FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS. AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48209C, Panel No. 0389 E, which is Dated 9/27/2005. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://msc.fema.gov/portal>.

LINE	BEARING	DISTANCE
L1	S 81°08'57" W	4.00'
L2	S 81°08'57" W	4.00'

LYNDON B. JOHNSON STREET

(83.33' R.O.W.)(PER PLAT)

22.83'
(N 08°00'00" W)
N 08°39'58" W



CARSON DIVERSIFIED LAND 2, LLC
0.111 ACRES
DOC NO. 13012245

ORIGINAL TOWN OF SAN MARCOS
VOLUME 46, PAGE 448
LOT 8, BLOCK B

SCALE: 1"=20'



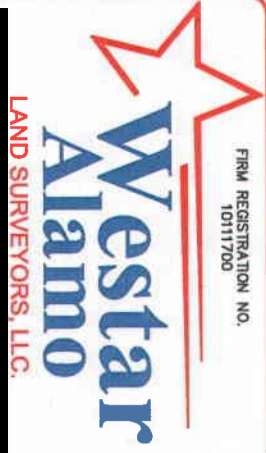
THIS SURVEY IS
ACKNOWLEDGED AND
IS ACCEPTED:

LEGEND CONT.
X = SET "X" ON CONCRETE
△ = SET PK NAIL

NOTE:
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

NOTE:
Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.

FIRM REGISTRATION NO.
10111700



- LEGEND**
- △ CALCULATED POINT
 - △ FIND PK NAIL
 - RECORD INFORMATION
 - BUILDING SETBACK
 - CONTROLLING MONUMENT
 - GAS METER
 - WATER METER
 - ELECTRIC METER
 - SIGN
 - POWER POLE
 - LIGHT POST

Property Address:
110 NORTH LBJ DRIVE (LYNDON B. JOHNSON STREET PER PLAT)
Property Description:
Being 0.083 acres more or less, being out of Lot 7, Block 8 of the Original Town of San Marcos, recorded in Volume 46, Page 448 of the Deed Records of Hays County, Texas, and being that same tract of land described by Deed recorded in Volume 4395, Page 344, Official Public Records of Hays County, Texas, said 0.083 acres being more particularly described by metes and bounds attached hereto.



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

Mark J. Ewald

METES AND BOUNDS

Being 0.083 acres more or less, being out of Lot 7, Block 8 of the Original Town of San Marcos, recorded in Volume 46, Page 448 of the Deed Records of Hays County, Texas, and being that same tract of land described by Deed recorded in Volume 4395, Page 344, Official Public Records of Hays County, Texas, said 0.083 acres being more particularly described by metes and bounds as follows:

COMMENCING at a Pk Nail found for the southeast corner of Lot 8, of said Original Town of San Marcos, same being on the West Right-of-Way line of a 16 foot Alley;

THENCE North 08 degrees 40 minutes 37 seconds West, a distance of 83.73 feet (called 83.4 feet) to a Pk Nail set for the southeast corner of this 0.083 acres, same being the northeast corner of said Lot 8, and the **POINT OF BEGINNING**;

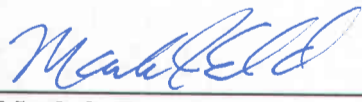
THENCE with the line common to this 0.083 acres and said Lot 8, South 81 degrees 08 minutes 57 seconds West (called South 81 degrees 48 minutes 55 seconds West), a distance of 157.96 feet (called 158.36 feet) to a point for the southwest corner of this 0.083 acres, from which a X in concrete set for witness bears South 81 degrees 08 minutes 57 seconds West, a distance of 4.00 feet, said point being the northwest corner of said Lot 8 and on the East Right-of-Way of Lyndon B. Johnson Street;

THENCE along the East Right-of-Way of said Lyndon B. Johnson Street, North 08 degrees 39 minutes 58 seconds West (called North 08 degrees 00 minutes 00 seconds West), a distance of 22.83 feet to a point for the northwest corner of this 0.083 acres, from which a X in concrete set for witness bears South 81 degrees 08 minutes 57 seconds West, a distance of 4.00 feet, said point being the southwest corner of the Carson Diversified Land 2, LLC 0.111 acres (Document No. 13012245);

THENCE along the line common to this 0.083 acres and said Carson 0.111 acres, North 81 degrees 08 minutes 57 seconds East (called North 81 degrees 48 minutes 55 seconds East), a distance of 157.96 feet (called 158.36 feet) to a railroad spike found for the northeast corner of this 0.083 acres, same being the southeast corner of said Carson 0.111 acres and being on the West Right-of-Way of said 16 foot Alley;

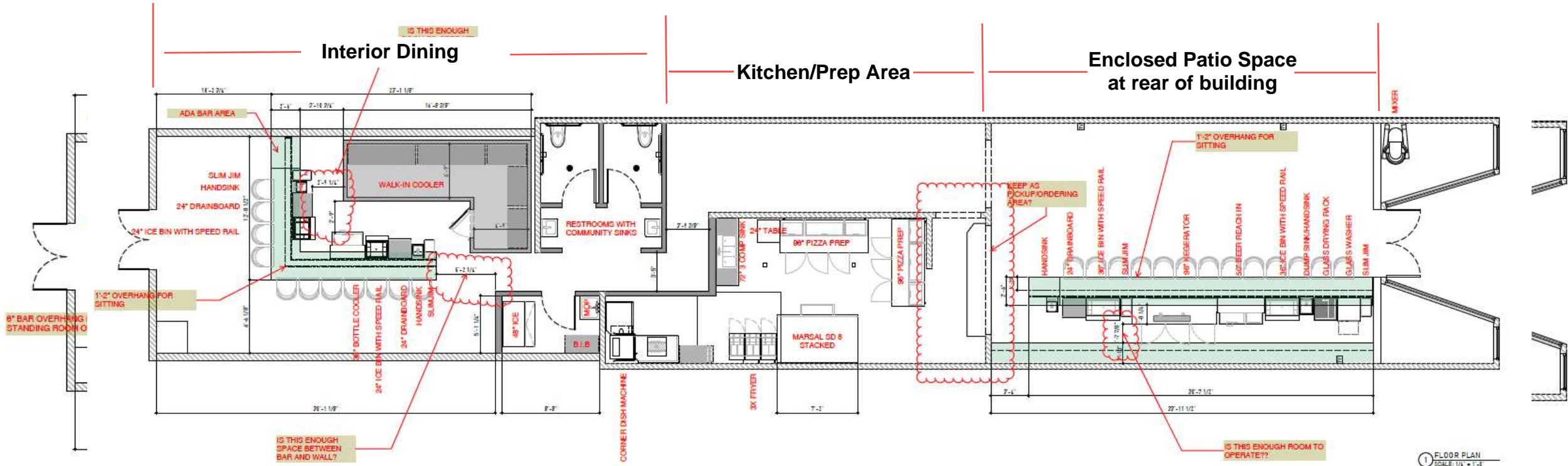
THENCE along the West Right-of-Way of said 16 foot Alley, South 08 degrees 39 minutes 58 seconds East (called South 08 degrees 00 minutes 00 seconds East), a distance of 22.83 feet to the **POINT OF BEGINNING**, and containing 0.083 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.



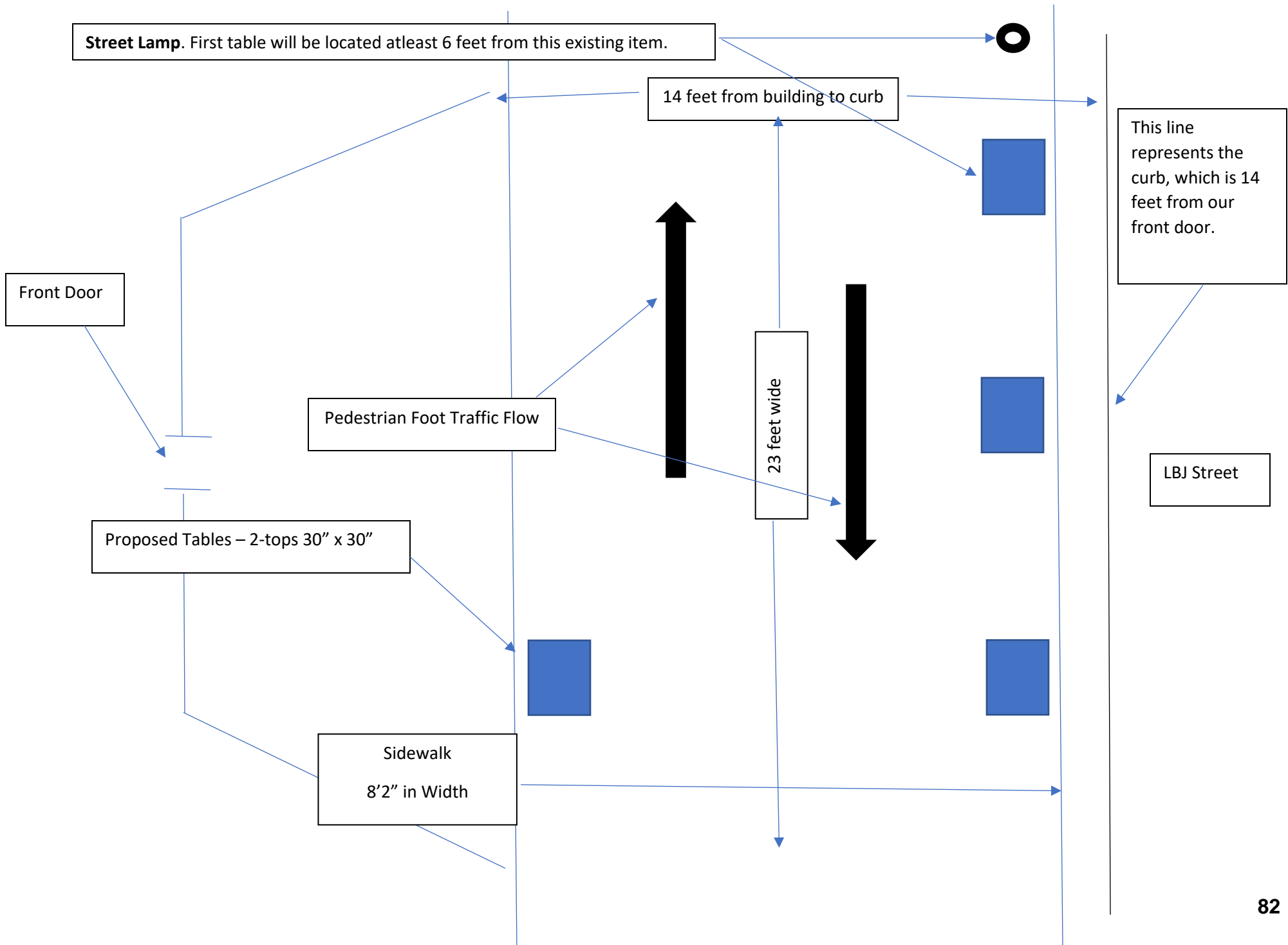
Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
December 12, 2018

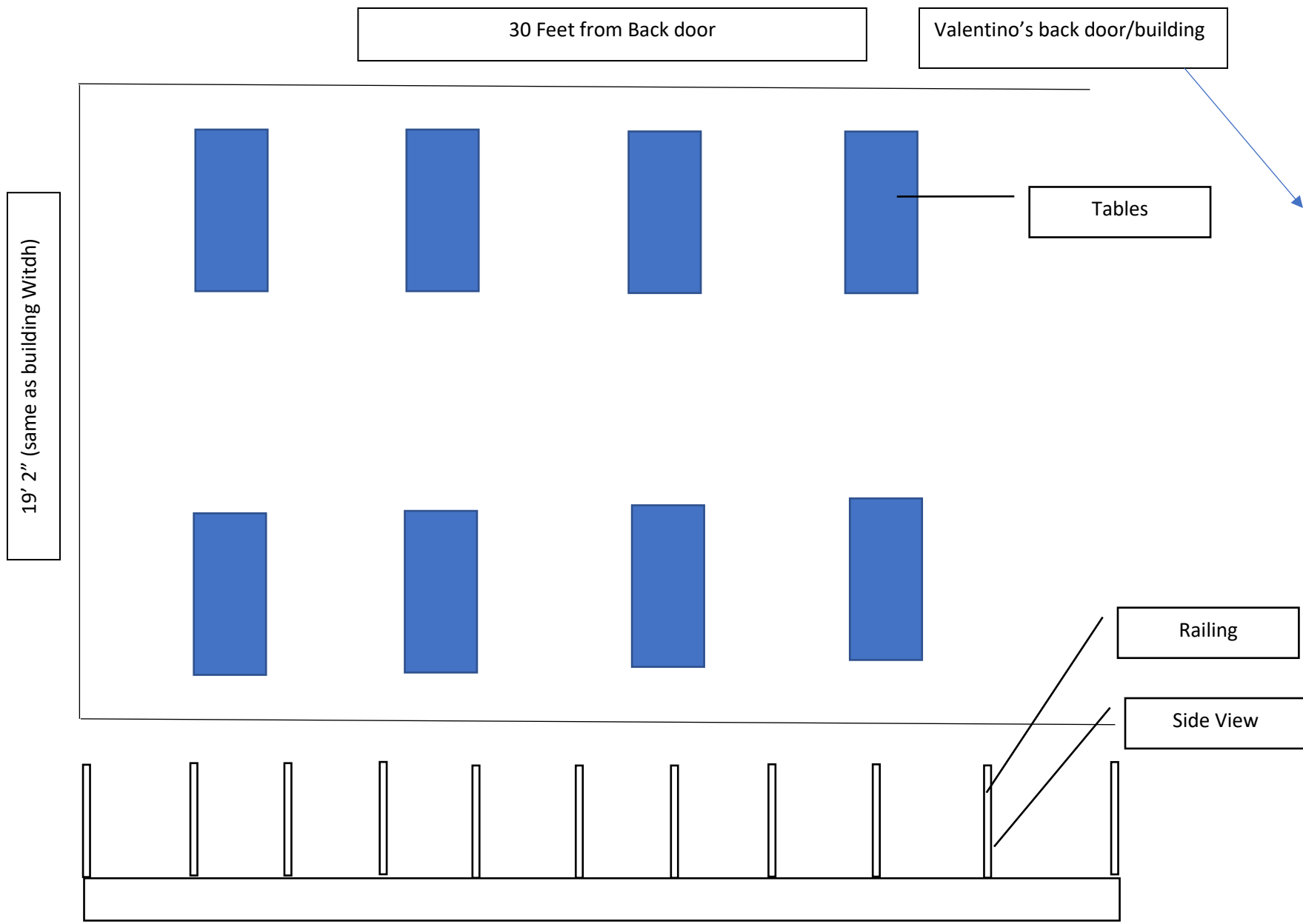


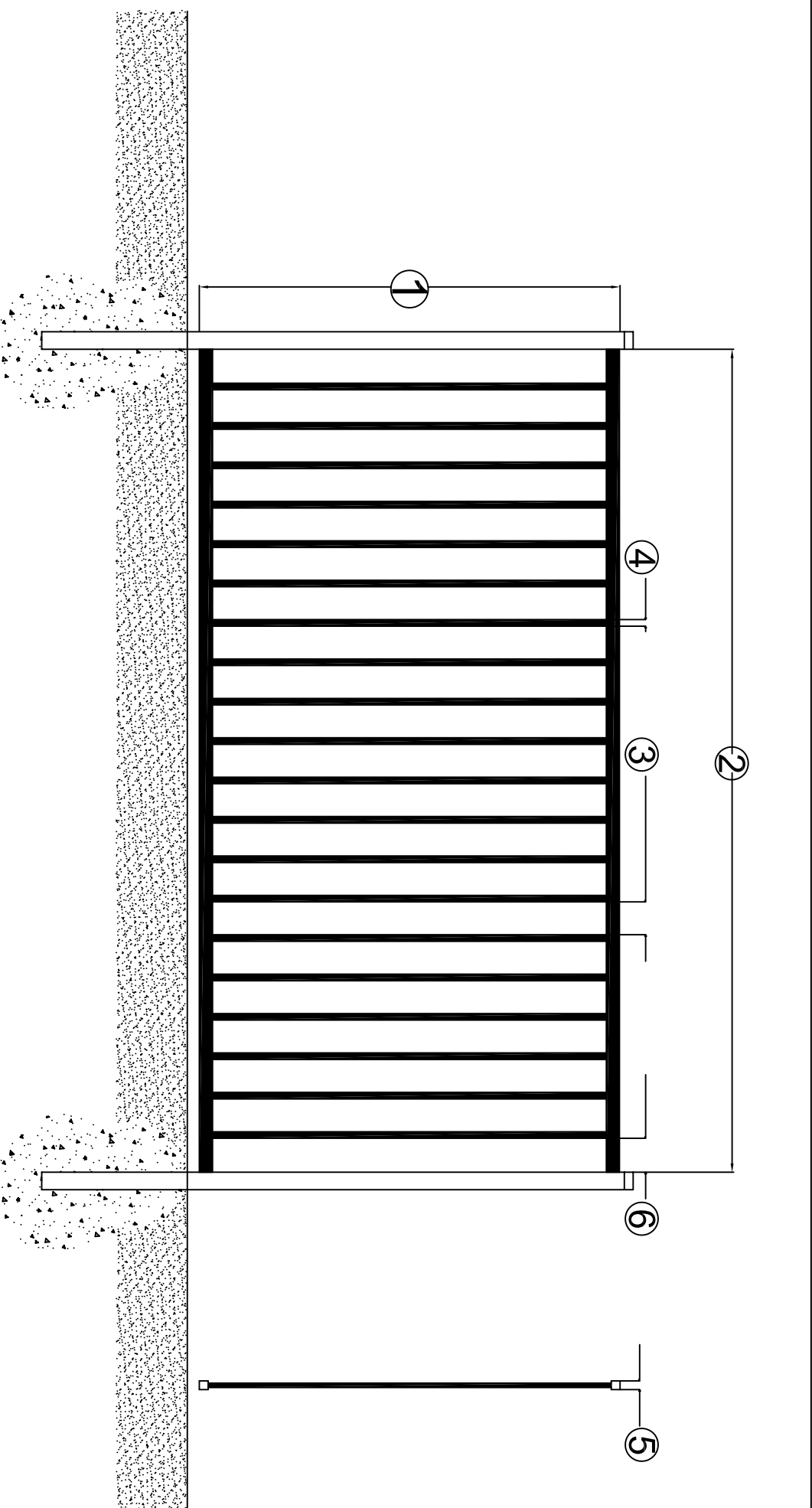


1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

AN
SCALE: 1/4" = 1'-0"







1	36"	5	1" X 16 Ga
2	7'-10"	6	2 7/16"
3	3 15/16"	7	
4	1/2" 16Ga	8	

PRODUCT: FLAT TOP PANEL

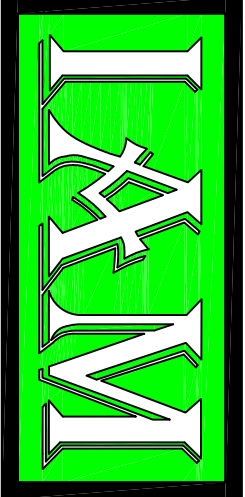
PRODUCT NUMBER: FT36X8-12

DRAWING REVISION DATE:

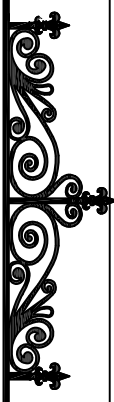
MISC NOTES:

Strength
ISALAH 40:29-31

206 East Hwy 80 Phone: (972)564-3388
Forney Texas, 75126 Fax: (972)564-3001
WWW.IAM-METALS.COM



Ornamental Fencing



INTERNATIONAL
ARCHITECTURAL
METALS



CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN DOWNTOWN CBA)

Updated: December, 2025

CONTACT INFORMATION

Applicant's Name	Cody Taylor	Property Owner	Mark Shields
Company	Valentino's	Company	MLKSM, LLC
Applicant's Mailing Address	110 N. LBJ Dr, San Marcos, Tx 78666	Owner's Mailing Address	510 Hearn St Austin, Tx 78701

PROPERTY INFORMATION

Subject Property Address: 110 north lbj dr., San Marcos, Tx 78666

Zoning District: CBA Tax ID #: R

Legal Description: Lot 1/2 of 7 Block 8 Subdivision

Number of Parking Spaces: 0

Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: Valentino's CUP Permit Type: Eating Establishment Bar

NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours

Hours of Operation (Ex. Mon 12pm-1am): Mon 11a - 12a Tue 11a - 12a Wed 11a - 12a
Thurs 11a - 3a Fri 11a - 3a Sat 11a - 3a Sun 11a - 3a

Indoor Seating Capacity: 75 Outdoor Seating Capacity: 30 Gross Floor Area:

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 1,050* Technology Fee \$15 TOTAL COST \$1,065

Renewal/Amendment Filing Fee \$788* Technology Fee \$15 TOTAL COST \$803

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

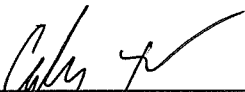
Apply Online at MGOCONNECT.ORG

AGREEMENT TO THE PLACEMENT OF POSTED NOTICE AND ACKNOWLEDGEMENT OF PERSONAL NOTICE REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of posted signs on the subject property, and personal notice presented to the Planning Commission and / or City Council.

- **Posted Signs:** if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- **Personal Notice:** if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$158 plus a \$15 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature:  _____

Date:

Print Name:

Form Updated December, 2025

AGREEMENT TO THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE DOWNTOWN CENTRAL BUSINESS AREA (CBA) REQUIREMENTS

The establishment must hold a valid Conditional Use Permit for the on-premise sale and consumption of alcohol issued and effective under [Section 2.8.3.1](#), [Section 5.1.5.5](#) of the Development Code and any conditions of such permit. Within the Downtown Central Business Area (CBA) the establishment can either request an **"Eating Establishment"** or a **"Bar"** Conditional Use Permit, subject to the maximum allowed permits, and in accordance with the Development Code.

Where an **"Eating Establishment"** includes the sale of alcohol for on premise consumption the following standards shall apply:

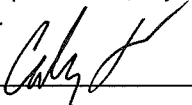
- In the Downtown Central Business Area (CBA) boundary, the total number of eating establishments which include the sale and on-premise consumption of alcohol is limited to 25.
- The business must have a kitchen and food storage facilities of sufficient size to enable food preparation. The kitchen must be equipped with, and must utilize, a commercial grill, griddle, fryer, oven, or similar heavy food preparation equipment.
- The business must serve meals to customers during at least two meal periods each day the business is open. A meal must consist of at least one entree, such as a meat serving, a pasta dish, pizza, a sandwich or similar food in a serving that serves as a main course for a meal. At least three entrees must be available during each meal period. A meal period means a period of at least four hours.
- The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **50** feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Where a **"Bar"** that primarily sells alcohol beverages for on premise consumption and **may** include the sale of food, the following standards shall apply:

- In the Downtown Central Business Area (CBA) boundary, the total number of bars is limited to 14.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **100** feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Not all standards are listed, please review [Land Development Code Section 5.1.5.5 Restaurant/Bar](#) for more information.

I have read the above standards and agree to follow City of San Marcos Land Development Code. I understand that if I do not follow the requirements, my Conditional Use Permit may be revoked. Please notify staff of any changes to the business operation.

Signature: _____


Date: 4/20/26

Print Name: Cody Taylor

Form Updated December, 2025

Apply Online at MGOCONNECT.ORG

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230

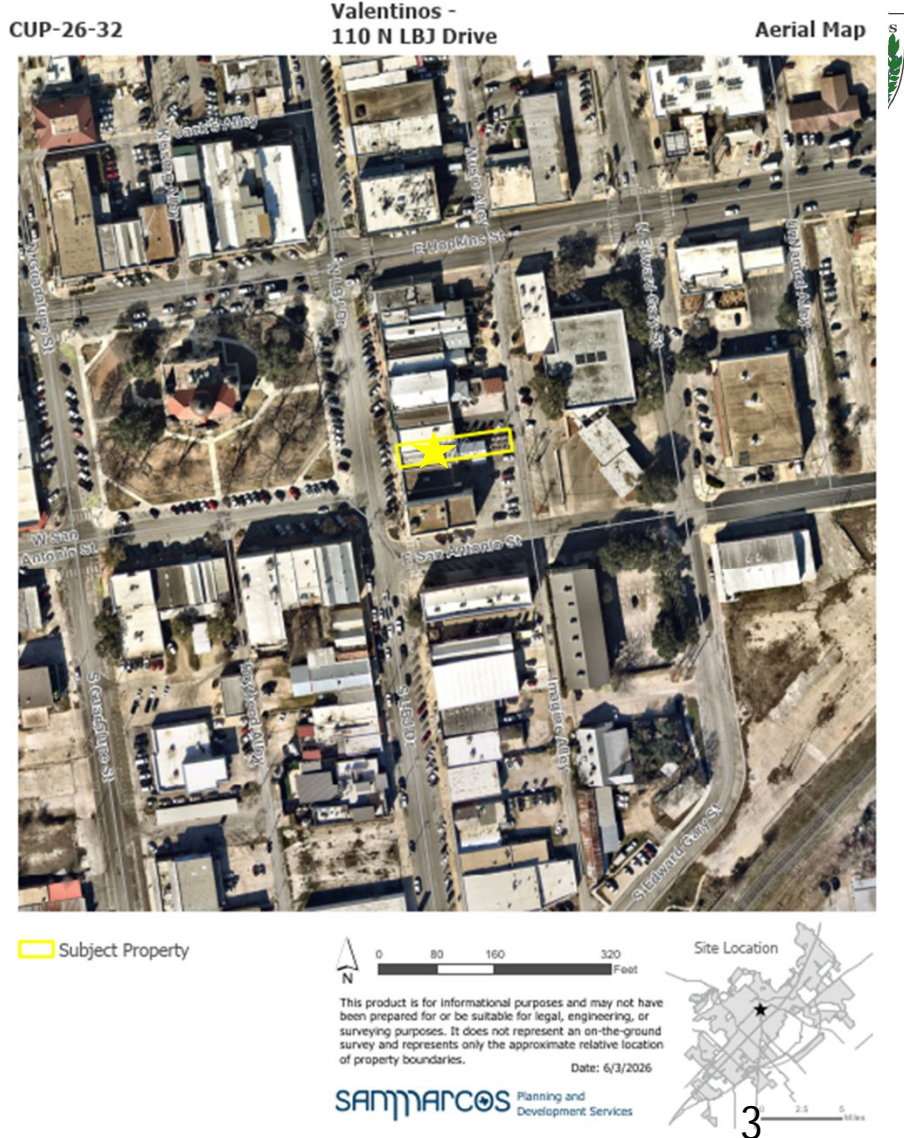


Public Hearing CUP-26-32 Valentino's

CUP-26-32 (Valentino's) Hold a public hearing and consider a request by Cody Taylor, on behalf of Valentino's, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 110 North LBJ Drive. (C. Garrison)

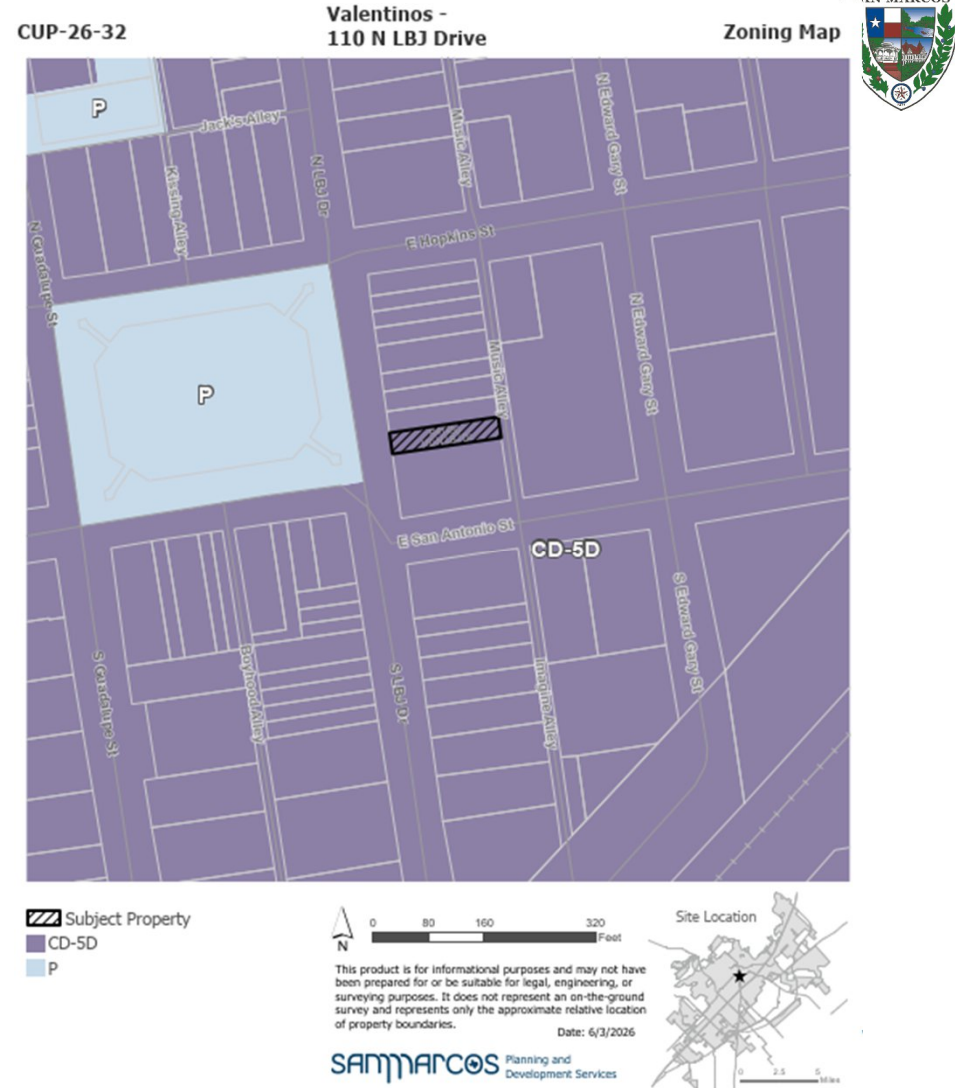
Context & History

- Currently a Restaurant (Eating Establishment) use with on-premise consumption of alcohol.
- Located within the Central Business Area (CBA)
 - “Restaurant (Eating Establishment)” uses within the CBA are required to meet certain standards related to kitchen equipment, meal periods, advertisement, and cleanliness outlined in Section 5.1.5.5.B.4.b.
- The business has held a Mixed Beverage CUP since 2021.
- Surrounding Uses, Personal Services, Offices, Restaurants, Hays County Courthouse
- Sidewalk Café Approval in 2022



Context & History

- **Existing Zoning:** Character District- 5 Downtown (CD-5D)
- **Proposed Use:** Restaurant
 - Monday - Wednesday: 11am-12am;
 - Thursday - Sunday: 11am – 3am
- **CUP Expiration Date:** October 10, 2026
- **Police Calls:** 21 (over 3-years)
- **Code Compliance/Env Health:** See Attached Health Report





Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4
<u>X</u>			Aligns with the adopted comprehensive plan?
<u>X</u>			Complies with any applicable small area plan or neighborhood studies?
<u>X</u>			Meets the purpose and intent of the current zoning district regulations?
<u>X</u>			Preserves surrounding character and mitigates impacts (traffic, noise, drainage, visual effects, etc)?
<u>X</u>			Does not create hazardous pedestrian or vehicle traffic conflicts?
<u>X</u>			Includes roadway improvements or controls to reduce neighborhood traffic impacts?



Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4 Continued
		<u>X</u>	Incorporates design features to reduce visual and other negative effects on adjacent properties?
<u>X</u>			Meets district standards, or any requested variations are necessary for neighborhood compatibility?

C	I	N	Criteria for Approval – Sec. 5.1.5.5
<u>X</u>			Located at least 300 feet from detached single-family homes in single-family-only districts?
<u>X</u>			Located at least 300 feet from churches, schools, and public hospitals?
<u>X</u>			Located at least 1,000 feet from any public or private school?



Criteria for Eating Establishments within CBA

C	I	N	CBA Boundary – Eating Establishment (Sec. 5.1.5.5.B.4.b)
<u>X</u>			Does the business include a properly equipped commercial kitchen with adequate food storage and heavy food preparation equipment?
<u>X</u>			Does the business serve meals during at least two four-hour meal periods each day it is open, with a minimum of three entrée options available during each period?
<u>X</u>			Is the business used, maintained, and advertised to the public as a restaurant where meals are prepared and served?
		<u>X</u>	Is the business maintaining the sidewalk, gutters, parking areas, areas within 100 feet of exits, and the permitted property in a clean and sanitary condition at all times?

sanmarcostx.gov



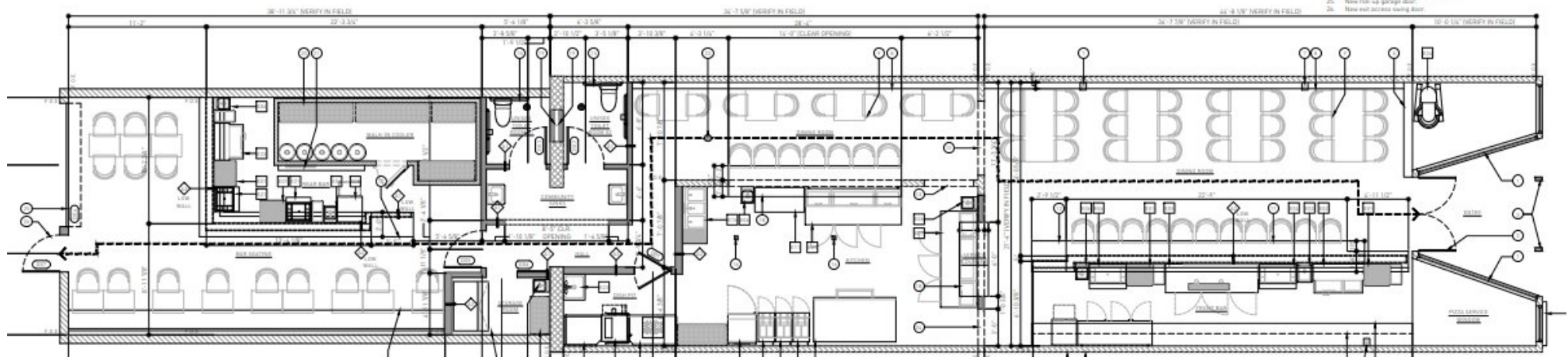
Floor Plan

Interior Dining and Enclosed Patio: +/- 3,606 sqft

Enclosed Patio Space

Kitchen/Prep Area

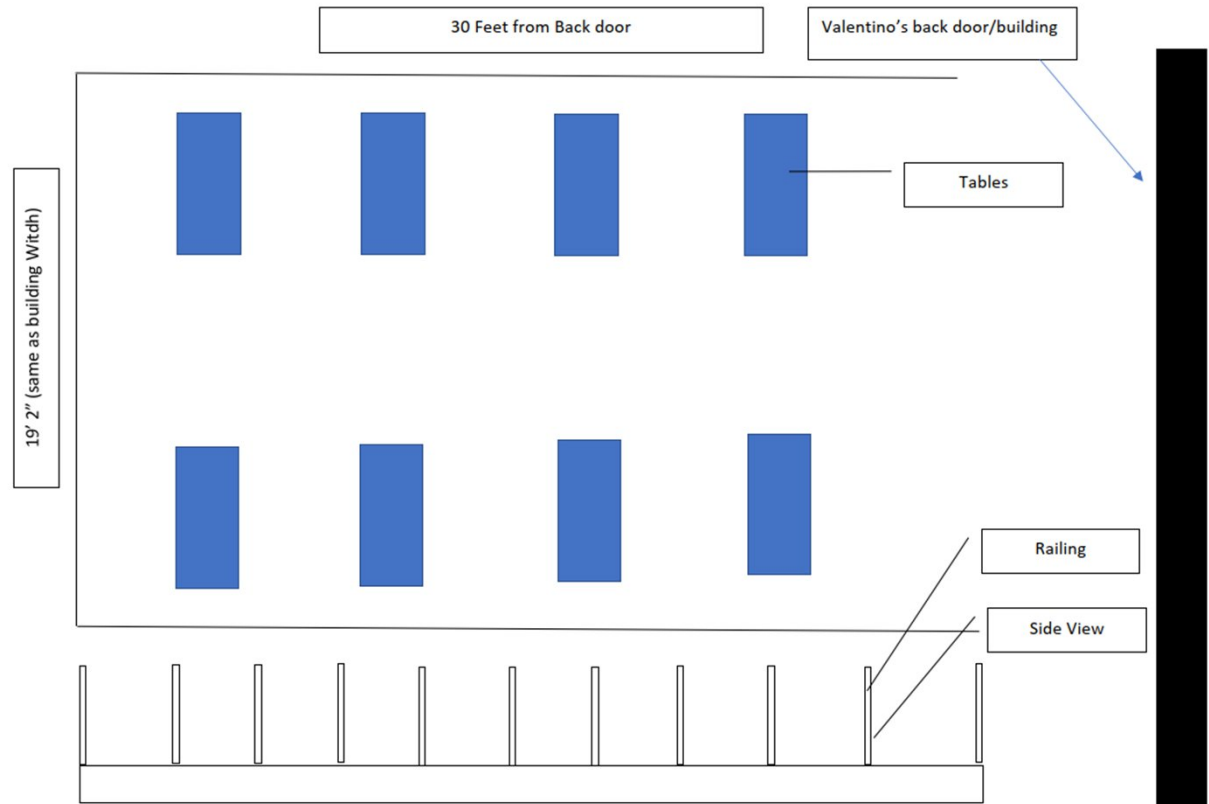
Interior Dining





Floor Plan

- +/- 570 sqft
- 24 current seats



sanmarcostx.gov

Recommendation



Staff recommends **approval** of CUP-26-32 with the following conditions:

1. This permit shall be valid for three (3) years, and shall expire October 10, 2029, provided standards are met;
2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);
3. The number of 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
4. This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Conditions Matrix

Conditional Use Permits for Sale of Alcohol for on-premise consumption

The guidance below was recommended by the Joint City Council / Planning and Zoning Commission Conditional Use Permit Committee in February 2026 and will be used by staff when considering conditions for Conditional Use Permits for On-Premise Consumption of Alcohol. Not all conditions may be applicable to each business in the noted location, and additional conditions may be deemed appropriate. The City of San Marcos Planning and Zoning Commission shall have discretion in determining which conditions are appropriate for each business.

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Term	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.	This permit shall be valid for number (#) years, and shall expire {DATE} provided standards are met.
Amplified Sound (Sunday – Thursday)	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.	No outdoor Amplified Sound shall be permitted Sunday – Thursday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Sunday – Thursday.
Amplified Sound (Friday – Saturday)	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.	No outdoor Amplified Sound shall be permitted after the closing of the business but in no case later than __ pm Friday – Saturday.

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Background Sound (Sunday – Thursday)	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Sunday – Thursday.
Background Sound (Friday – Saturday)	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line Friday – Saturday.	Outdoor Background Sound is permitted but should not be Plainly Audible at the property line after the closing of the business but in no case later than __ pm Friday – Saturday.
Cleanliness	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.B.7)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)	The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)
Food	N/A	Staff will copy and paste all text under Section 5.1.5.5.B.4.b Eating Establishment within Downtown CBA Boundary as a condition.	N/A	N/A
Hours	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	The business shall not pursue or hold a TABC Late Hours permit. <i>(Note: For new CUP requests only)</i>	N/A

	CBA BAR	CBA RESTAURANT	300 FEET OF SF USE	ALL REQUESTS
Occupancy (Fire)	The number of 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.	The number of 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.	The number of 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.	The number of 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.
Posting	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.	This permit shall be posted in the same area and manner as the Certificate of Occupancy.

Definitions

The following definitions will be used when interpreting the above conditions:

CBA Bar: “A facility that primarily sells alcoholic beverages for on premise consumption and may include the sale for food” (LDC Section 5.1.5.5.C) and is located in the Downtown Central Business Area (CBA) boundary.

CBA Restaurant: “A facility that prepares and sells food and drink that may or may not include the sale of alcohol for on premise consumption” (LDC Section 5.1.5.5.B) and is located in the Downtown Central Business Area (CBA) boundary.

300 feet of SF Use: A property whether zoned or used as a single-family residence, whether for sale or for rent, which is located within 300 feet from the nearest entrance, including staff entrances, of the business measured in a straight line from the business entrance to the residence’s structure. This measurement is provided as guidance only; staff may use discretion given circumstances such as:

- Businesses with entrances which may be permanently open during operating hours, such as open-air businesses with garage style doors.
- The types of buildings between the business and residence which may block sound.

Sound Amplifying Equipment: any electronically powered, operated, or assisted device used for the enhancement or amplification of the human voice, music, or any other sound including, but not limited to, amplifiers (amps), microphones, speakers, sound systems, or other similar devices.

Amplified Sound: instrumental, digital, or vocal sounds which are made louder using sound amplifying equipment, in accordance with Section 7.4.2.1 at the property line of the associated business.

Acoustic Sound: instrumental or vocal sounds which are not amplified using sound amplifying equipment.

Background Sound: amplified sound intended to enhance the ambiance of the business in which it is being played, and which should not be plainly audible at the property line of the associated business.

Plainly Audible: any amplified or acoustic sound which can be detected by the average person without the aid of hearing devices.

Outdoor: any unconditioned areas of the business such as a patio or rooftop.

Entrée: a meat serving, pasta dish, pizza, sandwich, or similar food that serves as the main course for a meal.



Legislation Text

File #: ID#26-387, **Version:** 1

AGENDA CAPTION:

The Planning and Zoning Commission will convene in executive session in accordance with Sections 551.071 of the Texas Government Code to consult with the City Attorney to receive legal advice regarding Conditional Use Permits.

Meeting date: June 23, 2026

Department: Planning and Development

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account or Project Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

Arts and Culture - Choose an item.

Economic Development - Choose an item.

Environment & Resource Protection - Choose an item.

Housing + Neighborhoods - Choose an item.

Land Use + Community Design and Character - Choose an item.

Parks & Public Spaces + Health, Safety & Wellness - Choose an item.

Transportation - Choose an item.

- Core Services
- Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.