

<b>Conditional Use Permit</b> <b>CUP-25-70</b>	<b>1180 Thorpe Lane Suite 130</b> <b>Evo Entertainment</b> <b>Springtown</b>
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**Summary**

<b>Request:</b>	Renewal of a Conditional Use Permit (CUP)		
<b>Applicant:</b>	Kristen Homan Springtown Entertainment LLC PO Box 150009 Austin, TX 78715	<b>Property Owner:</b>	Mitch Roberts 525 Knight Street, Suite 425 Dallas, TX 75219
<b>CUP Expiration:</b>	October 25, 2020	<b>Type of CUP:</b>	Mixed Beverages
<b>Interior Floor Area:</b>	34,415 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	115 spaces	<b>Parking Provided:</b>	Yes - Shared
<b>Days &amp; Hours of Operation:</b>	Monday – Thursday: 12pm-10pm and Friday – Sunday: 11am-12pm		

**Notification**

<b>Posted:</b>	January 23, 2026	<b>Personal:</b>	January 23, 2026
<b>Response:</b>	None as of the date of this report		

**Property Description**

<b>Legal Description:</b>	Amended Plat Lots 2B of Springtown Subdivision		
<b>Location:</b>	Located at the northeast corner of Thorpe Lane and Hopkins Street.		
<b>Acreage:</b>	6.066 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	General Commercial (GC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Movie Theater with food and beverage sales	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Mixed Use Medium	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Millview West	<b>Sector:</b>	Sector 2
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	Yes
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	No

**Surrounding Area**

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	General Commercial (GC)	Restaurant/ Retail Sales and Services	Mixed Use Medium
<b>South of Property:</b>	General Commercial (GC) One	Restaurant/ Retail Sales and Services	Commercial/ Employment Medium
<b>East of Property:</b>	Vertical Mixed Use (VMU)	Restaurant/ Retail Sales and Services	Mixed Use Medium
<b>West of Property:</b>	General Commercial (GC)	Restaurant/ Retail Sales and Services	Mixed Use Medium

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**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	<input type="checkbox"/> Denial
1. The permit shall be valid for six (6) months, provided standards are met; and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
<b>Staff:</b> Craig Garrison	<b>Title:</b> Planner	<b>Date:</b> February 4, 2026

**History**

**2016:** The Planning and Zoning Commission first approved a Conditional Use Permit (CUP), for one year with conditions. The CUP became effective with their Certificate of Occupancy approval on November 1, 2016.

**2017:** The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for three years with conditions.

**2020:** October 25, 2020 the current CUP expired.

**2024:** During the City of San Marcos Staff’s clean-up of the Conditional Use Permit process EVO was notified of their expired CUP on July 14, 2024. Department Staff was notified of approximately \$120,000 in overdue utilities bills on July 17, 2024, that were paid by May of 2025.

**2025:** Evo submitted a complete Conditional Use Permit Application on November 15, 2025.

**Additional Analysis**

Staff is recommending the renewal to be approved for a period of six months so that EVO can catch up after their CUP has been expired for over five years.

**Comments from Other Departments**

<b>Police</b>	See Attached Police Report
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment
<b>Health/Code Compliance</b>	No Comment

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Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <b><i>Studies were not complete at the time of the request.</i></b>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>X</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. <b><i>No improvements are being proposed as the subject structure is an existing development.</i></b>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b><i>No visual impacts are expected to cause adverse effects on adjacent properties.</i></b>
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<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.