



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, May 26, 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, May 26, 2026 via hybrid meeting.

II. Roll Call

Present 8 - Commissioner William Agnew, Commissioner David Case, Commissioner Maraya Dunn, Commissioner Rodney Van Oudekerke, Commissioner Lucy Johnson, Commissioner Randy Bryan, Commissioner Michele Burleson, and Commissioner Allison Hardy

Absent 1 - Commissioner Lupe Costilla

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 12, 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: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

PUBLIC HEARINGS

2. CUP-26-14 (Swing Station) Hold a public hearing and consider a request by Tyler Gescheidle, on behalf of Swing Station, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 1900 N IH 35, Ste 104. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-14.

Staff recommended approval of the request with the following conditions:

1. **The permit shall be valid for one (1) year, and shall expire on May 26, 2027, provided standards are met;**
2. **No outdoor Amplified, Background, and/or Acoustic 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 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**
5. **The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Tyler Gescheidle - 1900 N IH 35, in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

3. CUP-26-19 (Freddy C's Lounge) Hold a public hearing and consider a request by Sean Neal, on behalf of Freddy C's Lounge, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 141 E Hopkins Street. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-19.

Staff recommended approval of the request with the following conditions;

- 1. This permit shall be valid for one (1) year, and shall expire March 1, 2027, provided standards are met.**
- 2. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 10pm Sunday – Thursday;**
- 3. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 11pm Friday – Saturday;**
- 4. The business is responsible for cleaning the area within 100 feet of exit (LDC Section 5.1.5.5.E.2.D)**
- 5. 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;**
- 6. This permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Sean Neal - 1003 Stagecoach Trl., in favor

Chair Case closed the Public Hearings.

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

After discussion, A motion was made by Commissioner Dunn, seconded by Commissioner Burleson to amend condition #1 to the following.

- **This permit shall be valid for three (3) years, and shall expire March 1, 2029, provided standards are met.**

The motion to amend carried by the following vote.

- For:** 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy
- Against:** 0
- Absent:** 1 - Commissioner Costilla

The vote on the main motion carried by the following vote.

- For:** 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy
- Against:** 0
- Absent:** 1 - Commissioner Costilla

4. CUP-26-20 (Beans and Buns) Hold a public hearing and consider a request by Victor Cruzalta, on behalf of Beans and Buns, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 420 University Dr. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-20.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for one (1) year, and shall expire on May 26, 2027, provided standards are met;**
- 2. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 10pm Sunday – Thursday;**
- 3. No outdoor Amplified, Background, or Acoustic Sound shall be permitted after the closing of the business but in no case later than 11pm Friday – Saturday;**
- 4. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D);**

5. 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

6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

1) Victor Cruzalta - 420 University Dr. in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

- 5. CUP-26-22 (Jack's Roadhouse) Hold a public hearing and consider a request by Hallucivision LLC, on behalf of Jack's Roadhouse, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1625 Hunter Road. (C. Garrison)**

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-22.

Staff recommended approval of the request with the following conditions;

- 1. The permit shall be valid for one (1) year, and shall expire May 26, 2027, provided standards are met;**
- 2. The business is responsible for cleaning the area with 100 feet of 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;**

4. No outdoor background or amplified sound shall be permitted on the property; and

5. The permit shall be posted in the same area and manner as the certificate of occupancy.

1) Rocko Moses - 480 Mill Road, in favor

2) Mia Hernandez - 208 Shimmering Cove, in favor

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Burleson to approve the request with the following modification to condition #1.

- This permit shall be valid for one (1) year, and shall expire March 6, 2027, provided standards are met.**

A motion was made by Chair Case, seconded by Commissioner Van Oudekerke to amend condition #1 to the following.

- This permit shall be valid for three (3) years, and shall expire March 6, 2029, provided standards are met.**

The motion failed with the following vote.

For: 3 - Commissioner Case, Commissioner Van Oudekerke and Commissioner Hardy

Against: 5 - Commissioner Agnew, Commissioner Dunn, Commissioner Johnson, Commissioner Bryan and Commissioner Burleson

Absent: 1 - Commissioner Costilla

The vote on the main motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

6. CUP-26-23 (Axis) Hold a public hearing and consider a request by R&B South Sisters Inc., on behalf of Axis, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 202 N LBJ Drive Suite A. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-23.

Staff recommended approval of the request with the following conditions;

- 1. This permit shall be valid for three (3) years, and shall expire May 26, 2029, provided standards are met.**
- 2. The business is responsible for cleaning the area within 100 feet of 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;**
- 4. 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;**
- 5. 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;**
- 6. The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served;**
- 7. This permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Henry Hogensen - 300 Alpine Trl., in favor

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Agnew, seconded by Commissioner Dunn to approve the request with the following modification to condition #1.

- This permit shall be valid for six (6) months, and shall expire December 6, 2026, provided standards are met.**

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

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 Dunn, seconded by Commissioner Burleson to adjourn.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Bryan, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 1 - Commissioner Costilla

The meeting adjourned at 7:13 p.m.

Recording Secretary, Enrique Velasquez

Chair, David Case