



Public Hearing

CUP-26-08

Balcon Comedor y Bar

CUP-26-08 (Balcon Comedor y Bar) Hold a public hearing and consider a request by Judith Equihua, on behalf of Balcon Comedor y Bar, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 407 S Stagecoach Trail Suite 201. (C.Garrison)



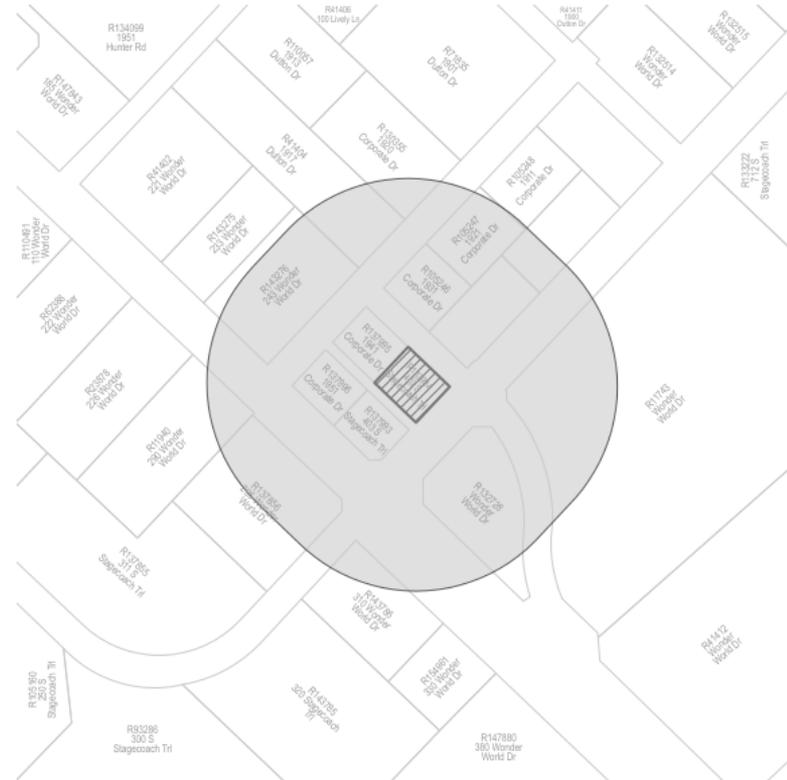
Property Information

- Approximately 0.37 acres
- Location Northeast corner of Stagecoach Trail and Key Street

CUP-26-08

CUP-26-08 Balcon Comedor y Bar

Notification Map

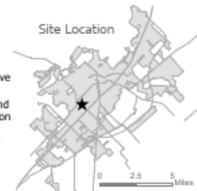


- 400 ft. Buffer
- ▨ Subject Property
- Parcel



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: 3/4/2026



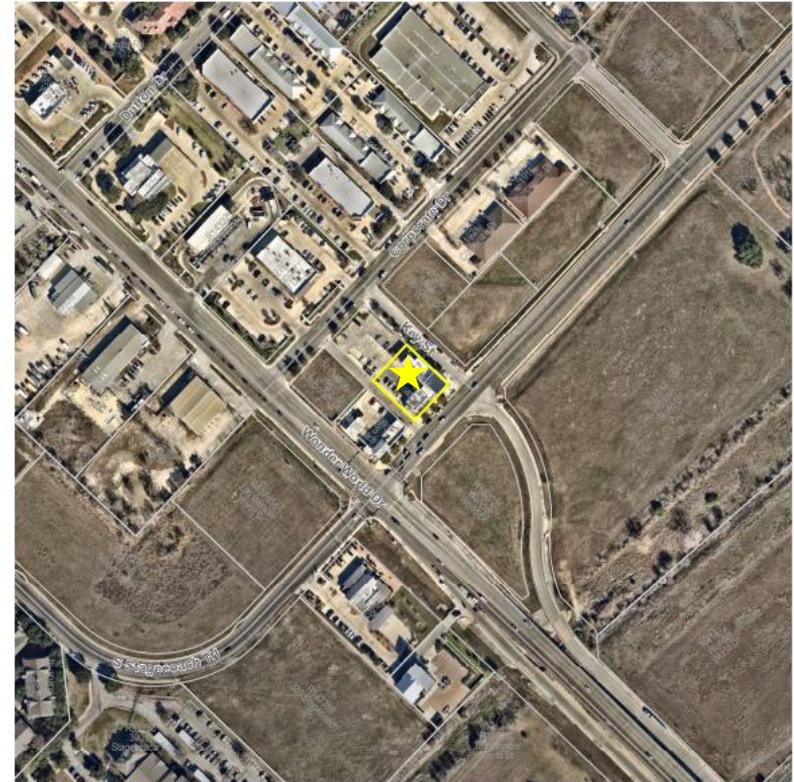
SAN MARCOS Planning and Development Services

tx.gov



Context & History

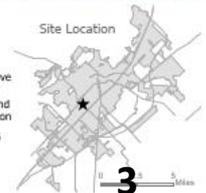
- Currently a Restaurant Use with on-premise consumption of alcohol.
- The business has held a Restaurant CUP since 2023.
- Surrounding Uses:
 - Mixed Use
 - Retail
 - Restaurants
 - Bank
 - Offices



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Date: 3/9/2026

SAMARCOS Planning and Development Services



0 1 3 Miles

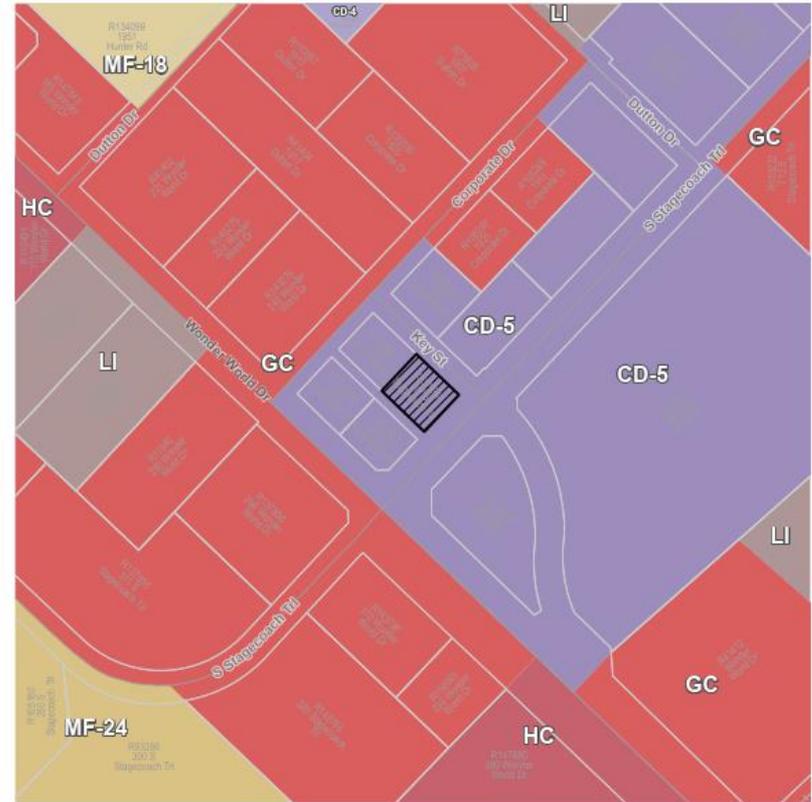
Context & History

- **Existing Zoning:** Character District-5 (CD-5)
- **Current Use:** Restaurant
 - Monday-Thursday: 11am-3pm/ 4:30pm-9pm
 - Friday-Saturday: 11am-3pm/ 4:30pm-10pm
 - Sunday: 11am – 3pm
- **CUP Expiration Date:** (February 12, 2026)
- **Police Calls:** None
- **Code Compliance/Env Health:** Delinquent payment of utilities and food/health safety.

CUP-26-08

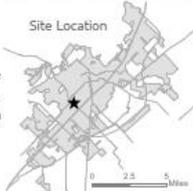
CUP-26-08 Balcon Comedor y Bar

Zoning Map



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Date: 3/9/2026





Criteria for Approval

C	I	N	Criteria for Approval – Sec. 2.8.3.4
<u>X</u>			Aligns with the adopted comprehensive plan?
		<u>N/A</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?

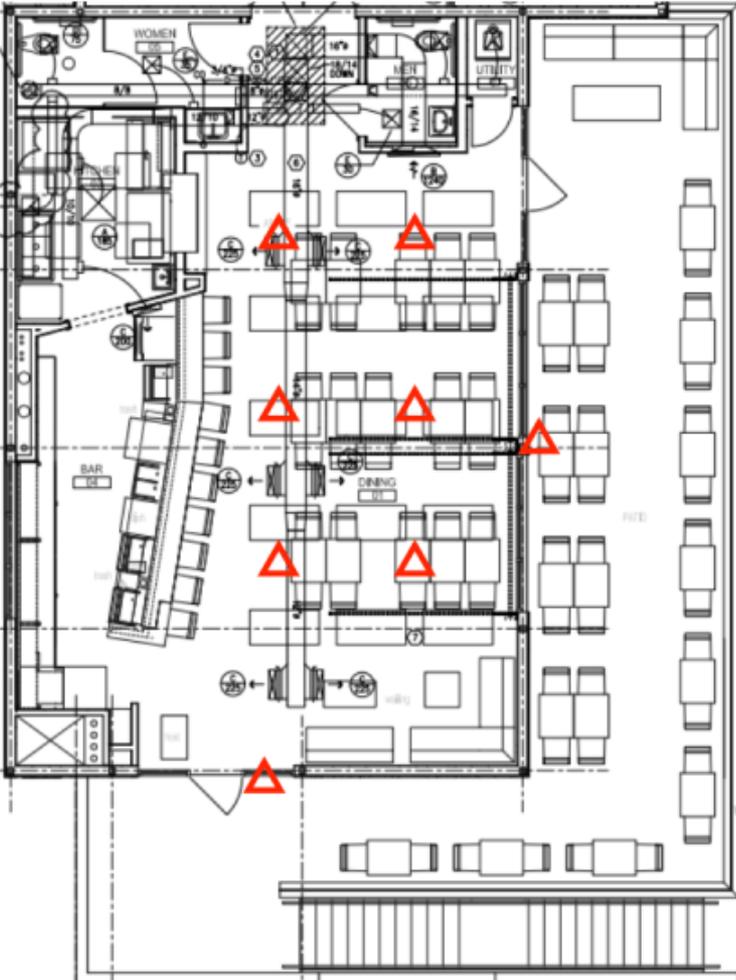
C	I	N	Criteria for Approval – Sec. 5.1.5.5
<u>X</u>			Located at least 300 feet from detached single-family homes in single-family-only districts?
<u>X</u>			Located at least 300 feet from churches, schools, and public hospitals?
<u>X</u>			Located at least 1,000 feet from any public or private school?



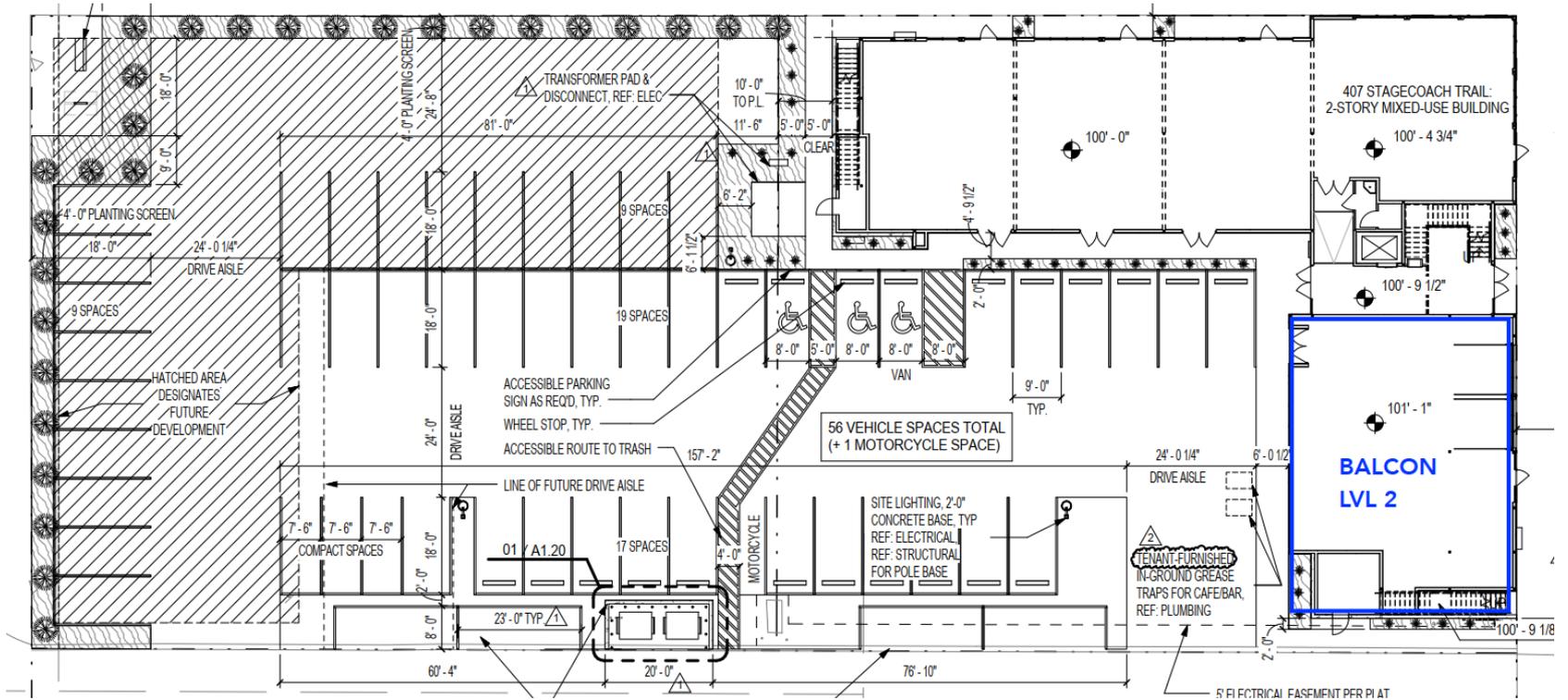
Criteria for Eating Establishments within CBA

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 50 feet of exits, and the permitted property in a clean and sanitary condition at all times?

Floor Plan



Site Plan





Recommendation

Staff recommends **approval** of CUP-26-08 with the following conditions:

1. The permit shall be valid for six (6) months, and shall expire September 24, 2026, provided standards are met; and
2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d); and
3. The occupancy 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.