

Conditional Use Permit	2601 Hunter Road
CUP-25-29	San Marcos BBQ



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Justin Pearson San Marcos BBQ 2601 Hunter Road San Marcos, TX 78666	Property Owner:	Justin Pearson San Marcos BBQ 2601 Hunter Road San Marcos, TX 78666
CUP Expiration:	July 23, 2025	Type of CUP:	Beer & Wine
Interior Floor Area:	3660 sq ft	Outdoor Floor Area:	N/A
Parking Required:	36 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Monday: 11am-4pm Thursday: 11am-7pm Sunday: 11am-7pm	Tuesday: 11am-7pm Friday: 11am-8pm	Wednesday: 11am-7pm Saturday: 11am-8pm

Notification

Posted:	7/3/2025	Personal:	7/3/2025
Response:	None as of the date of this report		

Property Description

Legal Description:	Juan M Veramendi Survey #1, Acres 2.508		
Location:	Located at the corner of Hunter Road and BarBQ Way		
Acreage:	2.501 acres	PDD/DA/Other:	N/A
Existing Zoning:	Community Commercial	Proposed Zoning:	Same
Existing Use:	Restaurant/ Housing	Proposed Use:	Same
Preferred Scenario:	Medium Intensity	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	Sector 9
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	General Commercial	Vacant	Employment Area
South of Property:	General Commercial	Vacant	Medium Intensity
East of Property:	General Commercial	Vacant	Medium Intensity
West of Property:	MF-24	Public Storage/ Restaurant/ Multifamily Apartments	Existing Neighborhood

Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	<input type="checkbox"/> Denial
1. The permit shall be valid for three (3) years, provided standards are met; 2. Hours of operation shall be limited to no later than 8 p.m.; 3. Alcohol consumption shall be limited to inside the restaurant; and 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
Staff: Craig Garrison	Title : Planner	Date: 7/16/2025

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History

San Marcos BBQ, had their initial approval by Planning and Zoning Commission in 2018, for one year. Their second approval by Planning and Zoning Commission was in June of 2019, for three years. The third approval was for three years, commencing on July 23, 2022, to compensate for the CUP being expired two years.

Additional Analysis

In addition to the San Marcos BBQ, there are 10 mobile homes located on this property and one house, all are currently rented for residential use. The residential structures are existing and considered a legal nonconforming use within the Community Commercial (CC) Zoning District. The proposed hours of operation are limited to no later than 8 p.m. Monday through Sunday, to not disturb the residents that are located on site.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code	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. <i>Studies were not complete at the time of the request.</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.
<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.