



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes - Final Planning and Zoning Commission

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Tuesday, April 22, 2025

6:00 PM

City Council Chambers

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**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, April 22, 2025 via hybrid meeting.**

### II. Roll Call

**Present** 8 - Commissioner William Agnew, Commissioner Lupe Costilla, Commissioner Michele Burleson, Commissioner Amy Meeks, Commissioner Griffin Spell, Commissioner David Case, Commissioner Maraya Dunn, and Commissioner Rodney Van Oudekerke

### III. Chairperson's Opening Remarks

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

### IV. Citizen Comment Period

**Chair Case opened the Citizen Comment Period.**

- 1) Cody Taylor, in favor of item #3**
- 2) Anthony Rodriguez, in favor of item #3**

**Chair Case closed the Citizen Comment Period.**

## CONSENT AGENDA

- 1. Consider approval, by motion, of the following Planning and Zoning Commission - Regular Meeting Minutes.**
  - A) March 25, 2025**
  - B) April 8, 2025**

**A motion was made by Vice-Chair Spell, seconded by Commissioner Burleson to approve the consent agenda.**

**Commissioner Agnew presented the following administrative adjustments.**

- **Minutes for 3.25.25 on pg. 15. change the “for” and “against” to reflect the nominated Commissioners.**

**Burleson**    5 - Commissioner Costilla, Commissioner Burleson, Commissioner Spell, Commissioner Case, Commissioner Dunn

**Agnew:**     4   Commissioner Agnew, Commissioner Meeks, Commissioner Garber, Commissioner Van Oudekerke

- **Minutes for 4.8.25 on pg. 5. adjust the adjournment time from 6:41 p.m. to the correct time of 7:07 p.m.**

**The motion to approve with administrative adjustments carried by the following vote.**

**For:**    8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:**    0

## **PUBLIC HEARINGS**

2. CUP-25-11 (Gus’s Fried Chicken) Hold a public hearing and consider a request by Janet Hickerson, on behalf of Gus’s Fried Chicken, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK DR STE 102. (K. Buck)

**Chair Case opened the Public Hearings.**

**Kaitlyn Buck, Planner, gave a presentation on request CUP-25-11.**

**Staff recommended approval of the request with the following conditions:**

1. The permit shall be valid for three (3) years, effective February 16, 2025, provided standards are met; and
2. Outdoor amplified music on the property shall not be permitted after 10 p.m.; and
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

- 1) Anthony Rodriguez - 110 E MLK Dr., in favor

**Chair Case closed the Public Hearings.**

**A motion was made by Vice-Chair Spell, seconded by Commissioner Costilla to approve the request with staff conditions.**

**The motion carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

- 3. CUP-25-14 (Bluebonnet Copacking) Hold a public hearing and consider a request by Brian Smittle, on behalf of Bluebonnet Copacking, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 110 E MLK Drive Suite 130. (C. Garrison)**

**Chair Case opened the Public Hearings.**

**Craig Garrison, Planner, gave a presentation on request CUP-25-14.**

**Staff recommended approval of the request with the following conditions:**

- 1. The permit shall be valid for one (1) year, provided standards are met; and**
- 2. Outdoor music on the property shall not be permitted after 12 am; and**
- 3. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

- 1) Brian Smittle - 12601 Bee Cave Parkway, Austin, in favor**
- 2) Sarah Shields - 4811 Gray Fox Dr., Austin, in favor**
- 3) Ryan Thomason - 2242 Summit Ridge, in favor**
- 4) Wendi Wade - 110 E MLK Dr. in favor**
- 5) Anthony Rodriguez - 110 E MLK Dr, in favor**

**Chair Case closed the Public Hearings.**

**A motion was made by Vice-Chair Spell, seconded by Commissioner Burleson to approve the request with staff conditions.**

**A motion was made by Vice-Chair Spell, seconded by Commissioner Meeks to amend condition #2 to the following.**

- **Outdoor music, except for ambient music, on the property shall not be permitted after 10 p.m.**

**The motion to amend carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

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

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

4. CUP-25-16 (The Growling) Hold a public hearing and consider a request by Manuel Lopez-Castro, on behalf of The Growling, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 700 N LBJ Drive, Suite 111. (C. Garrison)

**Chair Case opened the Public Hearings.**

**Craig Garrison, Planner, gave a presentation on request CUP-25-16.**

**Staff recommended approval of the request with the following conditions:**

1. **The Conditional Use Permit shall be valid for three (3) years, provided standards are met.**
2. **No live music or karaoke shall be allowed outdoors or other unconditioned areas.**
3. **The Conditional Use Permit shall be posted in the same area and manner as the Certificate of Occupancy.**

**1) Manuel Lopez-Castro - 205 Uhland Road, in favor**

**Chair Case closed the Public Hearings.**

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

**The motion carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

5. CUP-25-17 (Root Cellar Café) Hold a public hearing and consider a request by Kyle Mylius, on behalf of Root Cellar Café, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 215 N LBJ Dr. (K. Buck)

**Chair Case opened the Public Hearings.**

**Kaitlyn Buck, Planner, gave a presentation on request CUP-25-17.**

**Staff recommended approval of the request with the following staff conditions:**

- 1. The permit shall be valid for three (3) years, effective December 14, 2024, provided standards are met; and**
- 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

**1) Kyle Mylius - 215 N LBJ Dr., in favor**

**Chair Case closed the Public Hearings.**

**A motion was made by Commissioner Dunn, seconded by Vice-Chair Spell to approve request CUP-25-17 with staff conditions.**

**The motion carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

**NON-CONSENT AGENDA**

6. Receive a staff presentation and consider a recommendation on the 2026 Capital Improvement Program (CIP)

**A motion was made by Vice-Chair Spell, seconded by Commissioner Agnew to recommend approval of the 2026 Capital Improvement Program (CIP)**

**Shaun Condor, Director of Engineering and Capital Improvement, gave a presentation on the 2026 Capital Improvement Program (CIP).**

**The motion carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

7. Consider appointing a third Planning and Zoning Commissioner to the Conditional Use Permit (CUP) Committee.

**Commission Costilla nominated Commissioner William Agnew for the Conditional Use Permit (CUP) Committee.**

**Commissioner Burleson provided a second to nominate Commissioner William Agnew.**

**Commissioner William Agnew was appointed to the Conditional Use Permit (CUP) Committee with the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

V. Question and Answer Session with Press and Public.

**Chair Case opened the Question and Answer Session.**

**1) Mike Scheiern, asked the Commission general questions unrelated to the agenda.**

**Chair Case closed the Question and Answer Session.**

VI. Adjournment

**A motion was made by Vice-Chair Spell, seconded by Commissioner Burleson to adjourn.**

**The motion carried by the following vote.**

**For:** 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn and Commissioner Van Oudekerke

**Against:** 0

**The meeting adjourned at 6:53 p.m.**

**Recording Secretary, Enrique Velasquez**

**Chair, David Case**