

Conditional Use Permit	407 S Stagecoach Trail Ste 201
CUP-26-08	Balcon Comedor y Bar



Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Judith Equihua 407 Stagecoach Trail Suite 201 San Marcos, TX 78666	Property Owner:	Carson Diversified Land 1, LLC 407 S Stagecoach Trail, Suite 203 San Marcos, TX 78666
CUP Expiration:	February 12, 2026	Type of CUP:	Mixed Beverage
Interior Floor Area:	2064 sq. ft.	Outdoor Floor Area:	30 seats
Parking Required:	21 spaces	Parking Provided:	Yes - Shared
Days & Hours of Operation:	Monday-Thursday: 11am-3pm/ 4:30pm-9pm Friday-Saturday: 11am-3pm/ 4:30pm-10pm Sunday: 11am – 3pm		

Notification

Posted:	March 6, 2026	Personal:	March 6, 2026
Response:	None as of the date of this report		

Property Description

Legal Description:	South End San Marcos Section One, Lot 2		
Location:	On S Stagecoach Trail at the corner of Key Street.		
Acreage:	0.36 acres	PDD/DA/Other:	N/A
Existing Zoning:	Character District-5 (CD-5)	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Mixed Use Medium
CONA Neighborhood:	Dunbar	Sector:	Sector 1
Utility Capacity:	Adequate	Floodplain:	Yes
Historic Designation:	N/A	My Historic SMTX Resources Survey:	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District-5 (CD-5)	Mixed Use/ Retail/ Restaurants	Mixed Use Medium
South of Property:	Character District-5 (CD-5)	Bank/ Office	Mixed Use Medium
East of Property:	Character District-5 (CD-5)	Vacant	Mixed Use Medium
West of Property:	Character District-5 (CD-5)	Car Wash/ Retail	Mixed Use Medium

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	<input type="checkbox"/>	Denial	<input type="checkbox"/>
<ol style="list-style-type: none"> The permit shall be valid for six (6) months, and shall expire September 24, 2026, provided standards are met; and The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d); and The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and The permit shall be posted in the same area and manner as the Certificate of Occupancy. 					
Staff: Craig Garrison		Title: Planner		Date: March 18, 2026	

History

January 2023: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions.

August 2025: The CUP expired in January 24, 2024, and became over 20 months expired. The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for six months with conditions. (See attached 2025 Env-Health Memo)

Additional Analysis

Staff is recommending another 6-month CUP approval to allow the restaurant to show continued conformance with all city codes and ordinances.

Comments from Other Departments

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	See attachment (Env-Health Memo)

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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. Studies were not complete at the time of the request.
<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. No improvements are being proposed as the subject structure is an existing development.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. No visual impacts are expected to cause adverse effects 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.