

Conditional Use Permit	129 E Hopkins St
CUP-25-56	The Taproom & The Porch



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Samantha Phelps 129 E Hopkins St San Marcos, TX 78666	Property Owner:	Kevin Shea 2533 Deep Stand Loop San Marcos, TX 78666
CUP Expiration:	October 25, 2025	Type of CUP:	CBA Bar Mixed Beverage
Interior Floor Area:	7,500 sq ft	Outdoor Floor Area:	410 sq ft
Parking Required:	N/A	Parking Provided:	On Street
Days & Hours of Operation:	Monday-Sunday: 11am-2am		

Notification

Posted:	September 5, 2025	Personal:	September 5, 2025
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 20, Lot PT of 5-6, Acres 0.1821		
Location:	On East Hopkins Street between LBJ and Guadalupe		
Acreage:	0.18 acres	PDD/DA/Other:	N/A
Existing Zoning:	Character District 5 Downtown (CD-5D)	Proposed Zoning:	Same
Existing Use:	Bar and Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Downtown (CBA)	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown Historic District	My Historic SMTX Resources Survey:	Yes, Medium Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District 5 Downtown (CD-5D)	Parking, Restaurants, Retail	Mixed Use Medium
South of Property:	Public and Institutional (P)	Courthouse	Conservation/Cluster
East of Property:	Character District 5 Downtown (CD-5D)	Bars, Restaurants, Office, Retail	Mixed Use Medium
West of Property:	Character District 5 Downtown (CD-5D)	Bars, Restaurants, Office, Retail	Mixed Use Medium

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, commencing October 25, 2025, provided standards are met; and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
Staff: Kaitlyn Buck	Title: Planner	Date: September 17, 2025

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History

Established in 1994, the restaurant and bar previously held a lifetime Conditional Use Permit (CUP). In September of 2021, the business received an administrative CUP renewal for a change in ownership, valid for one (1) year. In October of 2022, the Planning and Zoning Commission approved a renewal, valid for three (3) years.

Additional Analysis

See additional analysis below.

Comments from Other Departments

Police	See attached report
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	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>X</u>			The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <i>The proposed business meets goals, such as fostering small businesses, written in the Downtown Area Plan.</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. <i>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</i>
<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. <i>No improvements are being proposed as the subject structure is an existing development.</i>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <i>No visual impacts are expected to cause adverse effects on adjacent properties.</i>
<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.