



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, December 9, 2025

6:00 PM

City Council Chambers

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, December 9, 2025 via hybrid meeting.

II. Roll Call

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

Absent 1 - Commissioner William Agnew

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) Robert Eby, general comments on Item #2 and 10**
- 2) John Maberry, in favor of item #2**
- 3) David Swank, In favor of item #2**
- 4) RB Sloan, in favor of item #2**
- 5) Chuck Knight, in favor of item #2**
- 6) Michael Whellan, in favor of item #2**
- 7) Abigail Lindsey, in opposition of item #2**
- 8) Torrie Martin, in opposition of item #2**
- 9) Brandon Oles, in opposition of item #2**
- 10) Michael Hernandez, in opposition of item #2**
- 11) Blake Coe, in opposition of item #2**

- 12) Jenna Fleming, in opposition of item #2
- 13) Andrew Weber, in opposition of item #2
- 14) Saunders Drucker, in opposition of item #2
- 15) Bobby Levinski, in opposition of item #2
- 16) Jennifer Lindsey, in opposition of item #2
- 17) Rafael Ruiz, in opposition of item #2

Chair Case closed the Citizen Comment Period.

CONSENT AGENDA

1. Consider approval, by motion of the Regular Meeting Minutes for the Planning and Zoning Commission on November 12, 2025.

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

The motion carried by the following vote.

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

Against: 0

Absent: 1 - Commissioner Agnew

PRESENTATION

2. PSA-25-02 (Francis Harris Lane Maberry Data Center Preferred Scenario Amendment) Receive a staff presentation and discuss a request by Armbrust & Brown, PLLC, on behalf of Highlander SM One, LLC, and Donald and Germaine Tuff, to amend the Preferred Scenario map from "Conservation/ Cluster" to "Commercial/Employment Low " for 199.49 +/- acres of land, more or less, generally located on the western side of Francis Harris Lane, south of the intersection between Grant Harris Rd and Francis Harris Lane in Hays County, Texas (J. Cleary)

Julia Cleary, Senior Planner, gave a presentation on request PSA-25-02.

Commissioner Agnew arrived to the meeting at 7:00 p.m.

No action was taken.

The meeting entered a recess at 8:10 p.m.

The meeting reconvened at 8:20 p.m.

PUBLIC HEARINGS

- 3. Hold a public hearing and consider a recommendation on the San Marcos Historic Preservation Plan.**

Chair Case opened the Public Hearings.

Alison Brake, Historic Preservation Officer, gave a presentation on the San Marcos Historic Preservation Plan.

Staff recommended approval of the request as presented.

- 1) Saunders Drucker - 1509 Delmar St. in favor**
- 2) Ryan Patrick Perkins - 727 W. Hopkins St., in opposition**

A motion was made by Vice-Chair Spell, seconded by Commissioner Paselk to recommend approval of the request.

After discussion, the motion was withdrawn.

A motion was made by Vice-Chair Spell, seconded by Chair Case to recommend the following amendments.

- 1. Ongoing stakeholder committee to implement and, as necessary, propose revisions to the plan.**
- 2. Opportunities for additional public input and feedback to be added to the future versions of the plan.**

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

4. CUP-25-49 (Brico's Pizza Kitchen) Hold a public hearing and consider a request by Brendon B. Ndlovu, on behalf of Brico's Pizza Kitchen, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 4015 IH 35 Suite 320-B. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-25-49.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for one (1) year, provided standards are met;**
- 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Brendon Ndlovu - 4015 IH 35, in favor

Chair Case closed the Public Hearings.

A motion was made by Commissioner Agnew, seconded by Commissioner Burleson to approve the request with staff conditions.

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

5. CUP-25-61 (Rooftop on The Square) Hold a public hearing and consider a request by Robert Espinosa, on behalf of Rooftop on The Square, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 126 S. Guadalupe St. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-25-61.

Staff did not provide a recommendation.

San Marcos PD provided an update to the request.

Chair Case closed the Public Hearings.

A motion was made by Vice-Chair Spell, seconded by Commissioner Costilla to deny the request.

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

- 6.** CUP-25-63 (Hokkaido Ramen and Sushi) Hold a public hearing and consider a request by Xiurong Weng, on behalf of Hokkaido Ramen and Sushi, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 243 Wonder World Suite 100. (C. Garrison)

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-25-63.

Staff recommended approval of the request with the following conditions:

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

1) Romulus Gomez - 243 Wonder World Dr., in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

7. CUP-25-64 (Matas Mexican Restaurant) Hold a public hearing and consider a request by Erika Mata, on behalf of Matas Mexican Restaurant, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1350 S Old Bastrop Hwy, Ste 101. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-25-64.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for three (3) years, provided standards are met; and**
- 2. The applicant shall not pursue a late hour's license from the Texas Alcoholic Beverage Commission (TABC); and**
- 3. Any addition of outdoor seating on the site shall necessitate an amendment to this CUP; and**
- 4. No outdoor amplified music shall be permitted; and**
- 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Erika Mata - 1350 Old Bastrop Hwy, in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

8. CUP-25-65 (Boxcar Social) Hold a public hearing and consider a request by Arash Saberi, on behalf of Boxcar Social, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 116 S Edward Gary St. (K. Buck)

Chair Case opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-25-65.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for three (3) years, commencing January 12, 2026, provided standards are met; and**
- 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

1) Arash Saberi - 1165 Edward Gary St., in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

- 9. CUP-25-66 (Urban Bird Hot Chicken) Hold a public hearing and consider a request by Brandon C. Gawthorp, on behalf of Urban Bird Hot Chicken, to renew a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 205 W Hopkins St. (C. Garrison)**

Chair Case opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-25-66.

Staff recommended approval of the request with the following conditions:

- 1. The permit shall be valid for three (3) years, commencing on January 7, 2026, provided standards are met; and**
- 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy**

1) Shantell Gawthorp - 40271 Wildlife Run, Hempstead, in favor

Chair Case closed the Public Hearings.

A motion was made by Commissioner Agnew, seconded by Commissioner Paselk to approve the request with staff conditions.

The motion carried by the following vote.

For: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

- 10.** ZC-25-14 (510 N. Guadalupe St. / P to CD-5) Hold a public hearing and consider a request by Todd Salmi, United Campus Ministry, for a Zoning Change from Public (P) to Character District - 5 (CD-5), or, subject to consent of the owner, another less intense zoning district classification, for approximately 0.93 acres located at 510 N. Guadalupe St. and known as part of Block 1 of the C. C. Mitchell Addition, generally located south of Woods St. between N. Guadalupe St. and N. LBJ Dr. (L. Clanton)

Chair Case opened the Public Hearings.

Lauren Clanton, Chief Planner, gave a presentation on request ZC-25-14.

Staff recommended approval of the request as presented.

1) Todd Salmi - 510 N Guadalupe, in favor

Chair Case closed the Public Hearings.

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

The motion carried by the following vote.

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

Against: 1 - Commissioner Agnew

V. Question and Answer Session with Press and Public.

Chair Case opened the Question and Answer Session.

There were no speakers.

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: 9 - Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Case, Commissioner Dunn, Commissioner Van Oudekerke and Commissioner Paselk

Against: 0

The meeting adjourned at 10:22 p.m.

Recording Secretary, Enrique Velasquez

Chair, David Case