



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, April 28, 2026

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 Agnew at 6:00 pm on Tuesday, April 28, 2026 via hybrid meeting.

II. Roll Call

Present 7 - Commissioner William Agnew, Commissioner Lupe Costilla, Commissioner Maraya Dunn, Commissioner Rodney Van Oudekerke, Commissioner Lucy Johnson, Commissioner Michele Burleson, and Commissioner Allison Hardy

Absent 2 - Commissioner David Case, and Commissioner Randy Bryan

III. Chairperson's Opening Remarks

Chair Agnew welcomed the audience and gave opening remarks detailing the meeting rules and guidelines.

IV. Citizen Comment Period

Chair Agnew opened the Citizen Comment Period.

There were no speakers.

Chair Agnew closed the Citizen Comment Period.

CONSENT AGENDA

1. Consider approval, by motion of the Regular Meeting Minutes for the Planning and Zoning Commission on April 14, 2026

A motion was made by Commissioner Burleson, seconded by Commissioner Dunn to approve the consent agenda.

For: 7 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 2 - Commissioner Case and Commissioner Bryan

PUBLIC HEARINGS

2. Receive a staff presentation and consider a recommendation on the 2027 Capital Improvement Program (CIP)

Chair Agnew opened the Public Hearings.

Shaun Condor, Director of Engineering and Capital Improvements, gave a presentation on the 2027 Capital Improvements Program (CIP).

Staff recommended approval of the request as presented.

There were no speakers.

Chair Agnew closed the Public Hearings.

A motion was made by Commissioner Johnson, seconded by Commissioner Van Oudekerke to recommend approval with the following recommendations.

1. Consider Increasing Water/Wastewater Impact Fees
2. Consider establishing a Transportation Impact Fee
3. Consider Wallace Edition Stormwater project 525 moved from 2029 to 2027

After discussion, the following was added to recommendation #3.

- **Consider Wallace Edition Stormwater project 525 moved from 2029 to 2027, if possible.**

The motion failed by the following vote.

For: 4 - Commissioner Agnew, Commissioner Costilla, Commissioner Van Oudekerke and Commissioner Johnson

Against: 3 - Commissioner Dunn, Commissioner Burleson and Commissioner Hardy

Absent: 2 - Commissioner Case and Commissioner Bryan

A motion was made by Commissioner Dunn, seconded by Commissioner Burleson to recommend approval of the request with the following recommendations.

- 1. Consider increasing stormwater fees**
- 2. Consider increasing property tax**
- 3. Consider addressing needs of Wallace Addition and prioritizing as practical**

The motion carried by the following vote.

For: 6 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson and Commissioner Burleson

Against: 1 - Commissioner Hardy

Absent: 2 - Commissioner Case and Commissioner Bryan

- 3. CUP-26-13 (Eden Bar) Hold a public hearing and consider a request by David Foglia, on behalf of Eden Bar, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 206 W San Antonio Street. (C. Garrison)**

Chair Agnew opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-26-13.

Staff recommended approval of the request with the following conditions;

- 1. The permit shall be valid for three (3) years, and shall expire on April 8, 2029, provided that standards are met;**
- 2. The Occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels;**
- 3. No outdoor amplified sound or background music shall be permitted after the closing of the business but in no case later than 10:30 p.m.;**
- 4. No outdoor amplified sound or background music shall be played before 2 p.m. Saturday and Sunday;**
- 5. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d); and**
- 6. The permit shall be posted in the same area and manner as the Certificate of Occupancy**

There were no speakers.

Chair Agnew closed the Public Hearings.

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

The motion carried by the following vote.

For: 7 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 2 - Commissioner Case and Commissioner Bryan

4. PDD-07-02(B) (McCarty Commons PDD Amendment) Hold a public hearing and consider a request by Quiddity Engineering, LLC, on behalf of HEB, LP, to modify standards, including signage standards, within the McCarty Commons Planned Development District, comprised of 259.52 acres, more or less, out of the Nathaniel Hubbard Survey, Abstract No. 230, Hays County, Texas, generally located southeast of the intersection between I-35 and E McCarty Lane. (J. Cleary)

Chair Agnew opened the Public Hearings.

Julia Cleary, Senior Planner, gave a presentation on request PDD-07-02(B).

Staff recommended approval of the request as presented.

1) Josh Elledge - I 35 and E McCarty, in favor

Chair Agnew closed the Public Hearings.

A motion was made Commissioner Dunn, seconded by Commissioner Burleson to approve the request.

The motion carried by the following vote.

For: 7 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 2 - Commissioner Case and Commissioner Bryan

- 5. CUP-26-17 (Sabor Y Vida) Hold a public hearing and consider a request by Elvia Granados Leon, on behalf of Sabor Y Vida, for renewal of a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 311 E Hopkins St. (K. Buck).

Chair Agnew opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-17.

Staff recommended approval of the request with the following conditions;

- 1. The permit shall be valid for three (3) years, and shall expire on May 27, 2029, provided standards are met;
- 2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);
- 3. The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

1) Irma Palacios - 311 E. Hopkins, in favor

Chair Agnew closed the Public Hearings.

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

The motion carried by the following vote.

For: 7 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 2 - Commissioner Case and Commissioner Bryan

- 6. CUP-26-18 (Kobe Steak House) Hold a public hearing and consider a request by Andrew Chen, on behalf of Kobe Steak House, for renewal of a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 210 Springtown Way. (K. Buck)

Chair Agnew opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-26-18.

Staff recommended approval of the request with the following conditions.

- 1. The permit shall be valid for three (3) years, and shall expire on February 12, 2029, provided standards are met;**
- 2. No outdoor Amplified Sound, Outdoor Background Sound and/or Acoustic Sound shall be permitted;**
- 3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d);**
- 4. The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and**
- 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**

There were no speakers.

Chair Agnew closed the Public Hearings

A motion was made by Chair Agnew, seconded by Commissioner Dunn to approve the request with staff conditions and the following modification to condition #1.

- The permit shall be valid for six (6) months, and shall expire on October 28, 2026, provided standards are met;**

The motion carried by the following vote.

For: 5 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Johnson and Commissioner Hardy

Against: 2 - Commissioner Van Oudekerke and Commissioner Burleson

Absent: 2 - Commissioner Case and Commissioner Bryan

NON-CONSENT AGENDA

- 7. PDA-25-02 (La Cima 8th Amended Development Agreement) Receive a staff presentation regarding an eight amended and restated development agreement with Lazy Oaks Ranch, LP, and its partial assignees in connection with the La Cima Development located near the intersection of Old Ranch Road 12 and Wonder World Drive to align the development agreement with City Resolution 2025-74R and special district legislation which created the La Cima Municipal Management District No. 1. (W. Rugeley)**

Will Rugeley, Planner, gave a presentation on request PDA-25-02.

1) Eric Willis - Lafayette Ln., Pflugerville, general comments

No action was taken.

V. Question and Answer Session with Press and Public.

Chair Agnew opened the Question and Answer Session.

There were no speakers.

Chair Agnew closed the Question and Answer Session.

VI. Adjournment

A motion was made by Commissioner Dunn, seconded by Commissioner Burleson to adjourn.

The motion carried by the following vote.

For: 7 - Commissioner Agnew, Commissioner Costilla, Commissioner Dunn, Commissioner Van Oudekerke, Commissioner Johnson, Commissioner Burleson and Commissioner Hardy

Against: 0

Absent: 2 - Commissioner Case and Commissioner Bryan

The meeting adjourned at 7:52 p.m.

Recording Secretary, Enrique Velasquez

Chair, William Agnew