

<b>Conditional Use Permit</b>	<b>4015 S IH 35 Suite 320-B</b>
<b>CUP-25-49</b>	<b>Brico's Pizza Kitchen</b>



### Summary

<b>Request:</b>	New Conditional Use Permit		
<b>Applicant:</b>	Brico's Pizza Kitchen Brendon B. Ndlovu 244 Sage Meadow Drive San Marcos, TX 78666	<b>Property Owner:</b>	Tanger Outlets 4015 IH 35 San Marcos, TX 78666
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Beer & Wine
<b>Interior Floor Area:</b>	1950 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	20 spaces	<b>Parking Provided:</b>	Shared Parking
<b>Days &amp; Hours of Operation:</b>	Sunday-Thursday: 11am-7pm and Friday-Saturday: 11am-8pm		

### Notification

<b>Posted:</b>	November 21, 2025	<b>Personal:</b>	November 21, 2025
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Tanger Factory Outlet, Lot 1AA-1		
<b>Location:</b>	Located on the Southeastern corner of S IH 35 and Centerpoint Road.		
<b>Acreage:</b>	+/- 29.3 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	General Commercial (GC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Tenant Space	<b>Proposed Use:</b>	Restaurant
<b>Preferred Scenario:</b>	Commercial/Employment Medium	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	Sector 5
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	No

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	General Commercial (GC)	Retail Sales and Services	Commercial/Employment Medium
<b>South of Property:</b>	General Commercial (GC)/ Character District-5 (CD-5)	Vacant	Commercial/Employment Medium
<b>East of Property:</b>	Character-District-4 (CD-4)/ Character District-5 (CD-5)	Vacant	Neighborhood High
<b>West of Property:</b>	General Commercial (GC)	Restaurants/ Retail Sales and Services/ IH 35	Commercial/Employment Medium

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### Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	Denial
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.		
<b>Staff:</b> Craig Garrison	<b>Title:</b> Planner	<b>Date:</b> December 3, 2025

### History

This is a new request

### Additional Analysis

See additional analysis below.

### Comments from Other Departments

<b>Police</b>	N/A
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	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>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. <b><i>Studies were not complete at the time of the request.</i></b>
<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. <b><i>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</i></b>
<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. <b><i>No improvements are being proposed as the subject structure is an existing development.</i></b>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b><i>No visual impacts are expected to cause adverse effects on adjacent properties.</i></b>
<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 1.5.1.1.