

<b>Conditional Use Permit</b>	<b>1400 Old Ranch Road 12</b>
<b>CUP-26-10</b>	<b>Chepos</b>



**Summary**

<b>Request:</b>	New Conditional Use Permit (CUP)		
<b>Applicant:</b>	Mary Cruz Alvarado 4145 Knight St San Marcos, TX, 78666	<b>Property Owner:</b>	Carlos Hernandez & Mary Cruz Alvarado 4145 Knight St San Marcos, TX, 78666
<b>CUP Expiration:</b>	N/A	<b>Type of CUP:</b>	Mixed Beverage
<b>Interior Floor Area:</b>	1,460 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	15 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Monday: Closed    Tuesday-Sunday: 7am-2pm		

**Notification**

<b>Posted:</b>	March 27, 2026	<b>Personal:</b>	March 27, 2026
<b>Response:</b>	1 comment received		

**Property Description**

<b>Legal Description:</b>	Lot 1 in the A G Coers Subdivision (1947)		
<b>Location:</b>	Northwest corner of Old Ranch Road 12 and W Holland St		
<b>Acreage:</b>	0.25 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Community Commercial (CC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Restaurant	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Mixed Use Low	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Holland Hills	<b>Sector:</b>	3
<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>	Single Family 6 (SF-6)	Single-Family Residential	Neighborhood Low
<b>South of Property:</b>	Single Family 6 (SF-6)	Single-Family Residential	Neighborhood Low
<b>East of Property:</b>	Public and Institutional (P)	Texas State University	Commercial/Employment Medium
<b>West of Property:</b>	Mixed Use (MU)	Cemetery	Mixed Use Low

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**Staff Recommendation**

Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	<input type="checkbox"/> Denial
<ol style="list-style-type: none"> <li>1. The permit shall be valid for one (1) year, and shall expire on April 14, 2027, provided standards are met;</li> <li>2. No outdoor Amplified Sound, Background Sound, and/or Acoustic Sound shall be permitted.</li> <li>3. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d)</li> <li>4. The business shall not pursue or hold a TABC Late Hours permit.</li> <li>5. The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and</li> <li>6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.</li> </ol>		
<b>Staff:</b> Kaitlyn Buck	<b>Title:</b> Planner	<b>Date:</b> April 8, 2026

**History**

Chepos has operated as a restaurant at this location since 2013 and currently permits patrons to bring their own alcoholic beverages (BYOB).

**Additional Analysis**

Senate Bill 1008 provides provisions on the city's ability to prohibit amplified sound at a restaurant. Per this bill and staff's analysis, the City can enforce the existing noise ordinance and the conditions related to noise added to this CUP.

**Comments from Other Departments**

<b>Police</b>	No Calls Reported
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment
<b>Health/Code Compliance</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 small area plan or neighborhood character study for the area. <b><i>The subject property is not located within a neighborhood character study area.</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. <b><i>The proposed use is located about 400 feet from the closest single-family residence (located in a zoning district that only permits detached single-family residences), measured from the front door of the restaurant, along the property lines of street fronts, to the front door of the single-family residence.</i></b>
<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.