



CITY OF SAN MARCOS
NEIGHBORHOOD ENHANCEMENT
Code Compliance & Environmental Health

630 E. Hopkins St.
San Marcos, TX, Hays County 78666

MEMORANDUM

To: Balcon Comedor & Bar (407 Stagecoach Trl.)
c/o Javier Magaña, Owner

REF: EXPIRED Conditional Use Permit

July 11, 2025

Good Afternoon Mr. Magaña:

Per our conversation earlier this week, I have included a list of the violations discussed with you in-person that led to our decision informing you that since your Conditional Use Permit was EXPIRED, the on-premises consumption of alcohol is NOT allowed at the establishment. Please see below:

- Failure to pay Food Permit fees
 - Suspended December 2024
 - Establishment closed due to Food Permit Suspension
- Failure to check/respond emails from multiple departments
 - Disconnected utilities on June 3, 2025
 - Food and coolers below required temperature
 - Delinquent CUP January 2024
 - Notice of Violation issued June 3, 2025
 - Given 48 hours and asked to remain in communication to avoid repercussions
- Failure from owner/staff to be present on June 4th for a new inspection
 - Detained coolers were used prior to authorization
- Failed to inform staff of ongoing issues that fall under the Health & Safety Code
 - Food items disposed of once again
- Failure to stay in communication with Code Compliance reference renewal application
 - EXPIRED Notice posted at establishment
 - Renewal application submitted June 16th and still pending documents

In addition, I reviewed the article you sent to the Planning & Development Services Department (PADS) by email prior to your arrival at my office. Although the article indicates it relates to an expired permit, the circumstances differ greatly and are not like your situation. You

are welcome to review all public records on the City of San Marcos (COSM) [Agenda Center](#) website to learn of the circumstances with that specific establishment.

As discussed, I have also attached the resources issued to our downtown business owners when they need coaching to manage their establishments and financial responsibilities. I highly encourage you to do your research accurately and develop a Corrective Action Plan (CAP) or Performance Improvement Plan (PIP) when you are scheduled for a renewal hearing with our Planning & Zoning Committee. Thank you for your time and willingness to accept and rectify all your errors in the future. Please contact me for further assistance or information.

Respectfully,

Claudia Cormier



Claudia Cormier
Code Compliance Officer
512-393-8437

CC:

- Shanna O'Brien, Environmental Health & Safety Manager
- Amanda Hernandez, Director of Planning & Development Services
- Andrea Villalobos, Assistant Director of Planning & Development Services
- David Soto, Planning Manager