This will be 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. The presiding officer for this meeting will be present at the location described above.

I. Call To Order

II. Roll Call

III. Chairperson's Opening Remarks

IV. Citizen Comment Period

Persons wishing to participate/speak remotely (online) during the Citizen Comment Period must email planninginfo@sanmarcostx.gov no later than 12:00 p.m. on the day of the meeting. Written comments received prior to 12:00 p.m. on the day of the meeting will be emailed to the Commissioners. Written comments received after the deadline will be provided to the Commissioners at the meeting. Those wishing to speak in person may sign up in advance or appear in the City Council chambers at the time the item is called. Comments shall have a time limit of three minutes each and speakers must state their name.

CONSENT AGENDA

THE FOLLOWING ITEMS NUMBERED 1 MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COMMISSIONER, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

1. Consider approval, by motion, of the May 28, 2024 - Planning and Zoning Regular Meeting Minutes.

PUBLIC HEARINGS

Interested persons may participate in any of the Public Hearing items # 2-6:

1) To participate/speak remotely (online) during the Public Hearings, email planninginfo@sanmarcostx.gov no later than 12:00 p.m. on the day of the meeting, or
2) Email written comments. Comments received prior to 12:00 p.m. on the day of the meeting will be emailed to the Commissioners and comments received after the deadline will be provided to the Commissioners at the meeting, or
3) Those wishing to speak in person may sign up in advance or appear in the City Council chambers at the time the item is called
Comments shall have a time limit of three minutes each and speakers must state their name and address.

2. CUP-24-16 (Eden) Hold a public hearing and consider a request by David Foglia, of behalf
of Eden, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 206 West San Antonio Street. (C.Garrison)

3. CUP-24-19 (Tumble 22) Hold a public hearing and consider a request by Mitch Liggett, on behalf of Tumble 22, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1104 Thorpe Lane, Suite D. (C.Garrison)

4. CUP-24-20 (Dre’s Daiquiri Shop) Hold a public hearing and consider a request by Andrea Villescaz, on behalf of Dre’s Daiquiri Shop, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 165 S. Guadalupe Street. (C. Garrison)

5. PC-23-38 (Replat of the Nash Amended Plat) Hold a public hearing and consider a request by Steve Ihnen, on behalf of Blanco Trace Development, LLC and CDN/ETN LP, for approval of a Replat of the Nash Subdivision Amended Plat, Lot 1, creating Lots 1A and 2A to be known as the Replat of the Amended Plat of Lot 1 Nash Subdivision and the Subdivision of Lot 2A, consisting of approximately 24.21 acres and located at 3209 N IH 35. (W. Rugeley)

6. PC-24-15 (Forest Hills Block 1, Lot 7 Replat) Hold a public hearing and consider a request by Ku & Associates, LLC, on behalf of Marsee Build, for approval of a Replat of the Forest Hills Block 1, Lot 7 Subdivision, creating lots 7A and 7B, consisting of approximately 0.298 acres and generally located at 917 West Bluebonnet Drive. (K. Buck)

V. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda. Comments shall have a time limit of three minutes each and speakers must state their name. The allotted time will commence at the beginning of the speakers remarks and will include time spent in discussion with Commissioners and staff. Any questions which are unable to be addressed in the allotted timeframe, or for which answers are not immediately available can be addressed outside the meeting.

VI. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____________________________ day of _____________________________

_________________________________________________ Title:
AGENDA CAPTION: Consider approval, by motion, of the May 28, 2024 - Planning and Zoning Regular Meeting Minutes.

Meeting date: June 11, 2024

Department: Planning and Development

Amount & Source of Funding
Funds Required: Click or tap here to enter text.
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]
Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Core Services
☐ Not Applicable
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

Background Information:
Click or tap here to enter text.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Click or tap here to enter text.
City of San Marcos

Meeting Minutes - Final
Planning and Zoning Commission

Tuesday, May 28, 2024 6:00 PM City Council Chambers

This will be 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 quorum present the regular meeting of the San Marcos Planning & Zoning Commission was called to order by Vice-Chair Spell at 6:00 pm on Tuesday, May 28, 2024 via hybrid meeting.

II. Roll Call

Present 8 - Commissioner William Agnew, Commissioner Lupe Costilla, Commissioner David Case, Commissioner Michele Burleson, Commissioner Amy Meeks, Commissioner Griffin Spell, Commissioner Jim Garber, and Commissioner Maraya Dunn

Absent 1 - Commissioner Travis Kelsey

III. Chairperson's Opening Remarks

Vice-Chair Spell welcomed the audience and gave brief opening remarks detailing the meeting rules and guidelines.

IV. Citizen Comment Period

Vice-Chair Spell opened the Citizen Comment Period.

There were no speakers

Vice-Chair Spell closed the Citizen Comment Period.

CONSENT AGENDA

1. Consider approval, by motion, of the May 14, 2024 - Planning and Zoning Regular Meeting Minutes.

A motion was made by Commissioner Agnew, seconded by Commissioner Costilla to approve the Consent Agenda.

The motion carried by the following vote.
For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Case, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Kelsey

PUBLIC HEARINGS

2. CUP-24-17 (Hooters) Hold a public hearing and consider a request by TW Restaurant Holder, LLC, on behalf of Hooters, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at the intersection of Flores Street and North IH 35. (C. Garrison)

Vice-Chair Spell opened the Public Hearings.

Craig Garrison, Planner, gave a presentation on request CUP-24-17.

Staff recommended approval of the request with the following conditions.

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

1) Riviere Duffy - 1600 Parkwood Circle, Atlanta, in favor

Vice-Chair Spell closed the Public Hearings.

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

1. The Permit shall be valid for three (3) years, from the date of September 8, 2023, provided standards are met;

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Case, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Kelsey
3. CUP-24-18 (Sea Barra) Hold a public hearing and consider a request by Alaniz Amillano, on behalf of Sea Barra, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 420 University Drive. (K. Buck)

Vice-Chair Spell opened the Public Hearings.

Kaitlyn Buck, Planner, gave a presentation on request CUP-24-18.

Staff recommended approval of the request with the following conditions.

1. The CUP shall be valid for one (1) year, provided standards are met; and
2. The CUP shall be effective upon the issuance of the Certificate of Occupancy; and
3. The CUP shall be posted in the same area and manner as the Certificate of Occupancy.

1) Rosario Amillano - 420 University Drive, in favor

Vice-Chair Spell 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: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Case, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Kelsey

V. Question and Answer Session with Press and Public.

Vice-Chair Spell opened the Question and Answer Session.

There were no speakers.

Vice-Chair Spell closed the Question and Answer Session.
VI. Adjournment

A motion was made by Commissioner Meeks, seconded by Commissioner Costilla to adjourn.

The motion carried by the following vote.

For: 8 - Commissioner Agnew, Commissioner Costilla, Commissioner Case, Commissioner Burleson, Commissioner Meeks, Commissioner Spell, Commissioner Garber and Commissioner Dunn

Against: 0

Absent: 1 - Commissioner Kelsey

The meeting adjourned at 6:12 pm.
File #: CUP-24-16, Version: 1

AGENDA CAPTION:
CUP-24-16 (Eden) Hold a public hearing and consider a request by David Foglia, of behalf of Eden, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 206 West San Antonio Street. (C.Garrison)
Meeting date: May 28, 2024

Department: Planning and Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
N/A
N/A

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Core Services
☒ Not Applicable
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Vision San Marcos - A River Runs Through Us

Background Information:
This is a new request.

Council Committee, Board/Commission Action:
N/A

Alternatives:
N/A

Recommendation:
Staff recommends Approval with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met;
2. Outdoor amplified music shall be limited to the hours between 10 a.m. and 10:30 p.m. on Saturday and Sunday, and 2 p.m. and 10:30 p.m. on weekdays;
3. The permit shall become effective upon issuance of Certificate of Occupancy;
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy;
**Summary**

**Request:** New Conditional Use Permit

**Applicant:** David Foglia  
300 Quarry Springs Dr  
San Marcos, TX, 78666

**Property Owner:** David Foglia  
300 Quarry Springs Dr  
San Marcos, TX, 78666

**CUP Expiration:** N/A  
**Type of CUP:** Mixed Beverage

**Interior Floor Area:** 2,800 sq ft  
**Outdoor Floor Area:** 2,200 sq ft

**Parking Required:** 15 spaces  
**Parking Provided:** 15 spaces

**Days & Hours of Operation:**  
Monday: Closed  
Tuesday: Closed  
Wednesday: 4pm-2am  
Thursday: 4pm-2am  
Friday: 12pm-2am  
Saturday: 12pm-2am  
Sunday: 12pm-2am

**Notification**

**Posted:** 5/23/2024  
**Personal:** 5/23/2024

**Response:** None as of the date of this report

**Property Description**

**Legal Description:** Original Town of San Marcos, Block 15, Lot 1A (0.225 Acres)

**Location:** West San Antonio Street at the corner of Fredericksburg Street

**Acreage:** 0.25 acres  
**PDD/DA/Other:** N/A

**Existing Zoning:** CD-5D  
**Proposed Zoning:** Same

**Existing Use:** Vacant  
**Proposed Use:** Bar

**Preferred Scenario:** High Intensity Zone  
**Proposed Designation:** Same

**CONA Neighborhood:** Downtown (Not in CBA)  
**Sector:** Sector 8

**Utility Capacity:** Adequate  
**Floodplain:** No

**Historic Designation:** N/A  
**My Historic SMTX Resources Survey:** Yes, Medium.

**Surrounding Area**

<table>
<thead>
<tr>
<th>North of Property:</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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</thead>
<tbody>
<tr>
<td>CD-5D</td>
<td>Restaurant/ Bar/Coffeeshop/ Vacant</td>
<td>High Intensity Zone</td>
<td></td>
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</tbody>
</table>

<table>
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<tr>
<th>South of Property:</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD-5D</td>
<td>Multifamily</td>
<td>High Intensity Zone</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>East of Property:</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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</thead>
<tbody>
<tr>
<td>CD-5D</td>
<td>Multifamily</td>
<td>High Intensity Zone</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>West of Property:</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD-5D</td>
<td>Retail/ Gym</td>
<td>High Intensity Zone</td>
<td></td>
</tr>
</tbody>
</table>

**Staff Recommendation**

- Approval as Submitted  
- Approval with Conditions  
- Denial

1. The permit shall be valid for one (1) year, provided standards are met;
2. Outdoor amplified music shall be limited to the hours between 10 a.m. and 10:30 p.m. on Saturday and Sunday, and 2 p.m. and 10:30 p.m. on weekdays;
3. The permit shall become effective upon issuance of the Certificate of Occupancy;
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy;

**Staff:** Craig Garrison  
**Title:** Planner  
**Date:** 6/5/2024
**History**
This is a new request.

**Additional Analysis**
The use is not located within the Central Business Area (CBA) so a cap on the number of bars located in the CBA is not applicable. There are currently 7 off-street parking spaces available on the subject property, and the applicant is proposing to add 8 parking spaces. The applicant will be required to demonstrate compliance with the parking requirements prior to the issuance of the Building Permit. The applicant constructed a fence on their existing parking lot to create a screened outdoor patio without the appropriate permit. This has added 2,200 sq ft of space to the proposed bar. The applicant has since submitted the appropriate permit to the City.

An interior stage and interior speakers are proposed and shown on the floor plan. The applicant has stated they are not proposing to install outdoor speakers or televisions.

**Comments from Other Departments**
Police/ Fire/ Public Services/ Engineering | No Comments

<table>
<thead>
<tr>
<th>Consistent Evaluation</th>
<th>Criteria for Approval (Sec. 2.8.3.4 &amp; 5.1.5.5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.</td>
</tr>
<tr>
<td>N/A</td>
<td>The proposed use is consistent with any adopted neighborhood character study for the area. <strong>Studies were not complete at the time of the request.</strong></td>
</tr>
<tr>
<td>X</td>
<td>The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>Evaluation</td>
<td>Criteria for Approval (Sec. 2.8.3.4 &amp; 5.1.5.5)</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>The proposed use is not within 300 ft. of a church, public or private school, or public hospital.</td>
</tr>
<tr>
<td>X</td>
<td>The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.</td>
</tr>
</tbody>
</table>
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 4/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 4/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 4/22/2024
CUP-24-16 (Eden) Hold a public hearing and consider a request by David Foglia, of behalf of Eden, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 206 West San Antonio Street. (C.Garrison)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at a hybrid, virtual / in person, meeting by the Planning and Zoning Commission on Tuesday, June 11, 2024 at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: [http://sanmarcostx.gov/541/PZ-Video-Archives](http://sanmarcostx.gov/541/PZ-Video-Archives). Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission, but wish to comment, you may write to the below address. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

For Planning & Zoning Commission
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, Craig Garrison, at 512.805.2649 or cgarrison@sanmarcostx.gov. When calling, please refer to case number CUP-24-16.

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PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)
EDEN COCKTAILS

VODKA/GIN

LIL’ THING-LEMON, RASPBERRY, DOLIN BLANC, VODKA

EVOL-ELDERFLOWER, PASSION FRUIT, PEYCHAUDS, LEMON, VODKA

LAST KISS-LIME, ROSEMARY, DEMERARA, GREEN CHARTREUSE, TORCHED ROSEMARY, GIN

EASY COME EASY GO-WATERMELON, LIME, BASIL,

RUM/TEQUILA/MEZCAL

FREE TIME-LIME, DRY CURACAO, MINT, DEMERARA, RUM, ANGOSTURA

SNAIQUIRI-GRAPEFRUIT, LIME, LUXARDO MAR., DEMERARA, OFTD RUM

DARK & LOVELY-LEMON, APEROL, BLACK STRAP RUM, ANGOSTURA, GINGER BEER

MI AMOR-LIME, GINGER, HONEY, GREEN CHARTREUSE, REPOSADO

WHISKEY/SCOTCH

EDEN OLD FASHION-PECAN, ANGOSTURA, BOURBON, ORANGE EXPRESSION

LIONS TAIL-LIME, ALL SPICE, DEMERARA, BOURBON, ANGOSTURA

LOGAN-RYE, COGNAC, BENEDICTINE, CARPANO ANTICA, JERRY THOMAS, PEYCHAUDS

PENICILLIN-LIME/LEMON, HONEY, GINGER, SCOTCH

PAPER PLANE-LEMON, APEROL, AMARO NONINO, BOURBON- ROCK DOF
EDEN CLASSICS

VODKA / GIN

CORPSE REVIVER #2- LEMON, SUGAR, LILLET, VODKA/GIN, ABSINTHE, LUXARDO

LEMON DROP- ELDERFLOWER, DOLIN DRY, BLACK LEMON, LEMON, VODKA

LAST WORD- LIME, GREEN CHARTREUSE, LUXARDO MARSCHINO, GIN

RICKEY- LIME, MINT, GIN, SODA

RUM / TEQUILA / MEZCAL

FREE TIME- LIME, DRY CURACAO, MINT, DEMERARA, RUM, ANGOSTURA

SNAIQUIRI- GRAPEFRUIT, LIME, LUXARDO MAR., DEMERARA, OFTD RUM

DARK & LOVELY- LEMON, APEROL, BLACK STRAP RUM, ANGOSTURA, GINGER BEER

MI AMOR- LIME, GINGER, HONEY, GREEN CHARTREUSE, REPOSADO

WHISKEY / SCOTCH

EDEN OLD FASHION- PECAN, ANGOSTURA, BOURBON, ORANGE EXPRESSION

LIONS TAIL- LIME, ALL SPICE, DEMERARA, BOURBON, ANGOSTURA

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PENICILLIN- LIME/LEMON, HONEY, GINGER, SCOTCH

PAPER PLANE- LEMON, APEROL, AMARO NONINO, BOURBON- ROCK DOF
BEER & SELTZER

Lonestar
Bud Light
Miller Lite
Coors Banq
Dos XX
Modelo
Blue Moon
Voodoo Ranger IPA
High Noon

Wine

Zonin Prosecco
Zonin Rose
Monin Cab
Monin Sauv
Dom P.
Licensing Application Summary

You must review your application and confirm that the information displayed here is correct. Select **Review and Confirm** to continue and make the payment. If the information is not correct, select **Next** to return to the application, edit the data as needed and finalize the submission. If you need to store the application packet for your records, select **Download**.

<table>
<thead>
<tr>
<th>Application ID:</th>
<th>344373</th>
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</thead>
<tbody>
<tr>
<td>Applicant Name:</td>
<td>Foglia Holdings</td>
</tr>
<tr>
<td>License Type applied for:</td>
<td>Mixed Beverage Permit (MB)</td>
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</tbody>
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**Entity Information**

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<tr>
<th>Business Structure:</th>
<th>Limited liability company</th>
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<tr>
<td>FEIN/SSN Number:</td>
<td>934642948</td>
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<tr>
<td>Member Managed or Manager Managed:</td>
<td>Member Managed</td>
</tr>
<tr>
<td>Historically Underutilized Business:</td>
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<tr>
<td>Veteran-owned business:</td>
<td>No</td>
</tr>
<tr>
<td>Fraternal Owned:</td>
<td>No</td>
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<tr>
<td>Secretary of State Filing Number:</td>
<td>805322885</td>
</tr>
<tr>
<td>Date Filed:</td>
<td>11/30/2023</td>
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<td>Filing State:</td>
<td>TX</td>
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**Primary Business Entity Contact Information**

<table>
<thead>
<tr>
<th>Legal First Name:</th>
<th>Francis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Middle Name:</td>
<td>Foglia</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:ffoglia13@gmail.com">ffoglia13@gmail.com</a></td>
</tr>
<tr>
<td>Phone Number:</td>
<td>512-415-3386</td>
</tr>
</tbody>
</table>
INTERIOR REMODEL
FOR
EDEN LOUNGE
206 W. SAN ANTONIO ST.
San Marcos, Texas 78666

ARCHITECT
ROEL BAZAN
174 S. GUADALUPE ST. STE. 104
SAN MARCOS, TEXAS 78666
(512) 214-4750

Client: Francis Foglia
(512) 415-3386
ffoglia13@gmail.com

INDEX TO DRAWINGS
GN-1 GENERAL NOTES
ADA-1 ADA NOTES & DETAILS
S-1 SITE PLAN
A-1 EXISTING FLOOR PLAN
A-2 DEMOLITION FLOOR PLAN
A-3 CONCRETE SLAB DEMOLITION PLAN
A-4 FLOOR PLAN
A-5 ENLARGED RESTROOM FLOOR PLAN
A-6 FIRE SAFETY PLAN
A-7 REFLECTED CEILING PLAN
A-8 CEILING FRAMING PLAN
A-9 EXTERIOR ELEVATIONS
A-10 TYPICAL WALL SECTIONS
A-11 ELECTRICAL FLOOR PLAN

THE ENTIRETY OF THIS PROJECT SHALL
COMPLY WITH 2021 IBC, 2021 IPC AND
2020 NEC.
CONCRETE POUR BACK DETAIL

EXISTING CONC. SLAB TO BE CUT TO INSTALL BEACH RIDS & FLEX DRains

SCALE: 1"=1'-0"

CONCRETE SLAB DEMOLITION PLAN

DESIGNED FOR:
EDEN LOUNGE
206 W. SAN ANTONIO ST.
SAN MARCOS, TEXAS 78666

DESIGNED BY:
HDZ DESIGN-BUILD
11611 SHADY HILLS
SAN ANTONIO, TX 78230

REVISED ARCHITECT
RUDOLPH BAZANT
4423
STATE OF TEXAS

12-2-2023

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Existing Unpermitted Fence
CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Case # CUP-____-

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>David Foglia</th>
<th>Property Owner</th>
<th>David Foglia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant's Mailing Address</td>
<td>300 Quarry Springs Dr, San Marcos TX 78666</td>
<td>Owner's Mailing Address</td>
<td>300 Quarry Springs Dr, San Marcos TX 78666</td>
</tr>
<tr>
<td>Applicant's Phone #</td>
<td>(512) 415-3005</td>
<td>Owner's Phone #</td>
<td>(512) 415-3005</td>
</tr>
<tr>
<td>Applicant's Email</td>
<td><a href="mailto:Foglia13@gmail.com">Foglia13@gmail.com</a></td>
<td>Owner's Email</td>
<td><a href="mailto:Foglia13@gmail.com">Foglia13@gmail.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address: 206 W San Antonio St, San Marcos, TX 78666

Zoning District: ___________________________  Tax ID #: R 137833

Legal Description: Lot 1A Block 15  Subdivision S7500 - Original Town of San Marco

Number of Parking Spaces: 15

Is property more than 300' from church, school, hospital, or residential district? Y

DESCRIPTION OF REQUEST

Business Name: Eden  □ Restaurant  □ Bar  □ Other: __________

NEW  □ RENEWAL/AMENDMENT  □ Mixed Beverage  □ Beer & Wine  □ Late Hours

Hours of Operation (ex. Mon 12pm-1am): Mon Closed  Tue Closed  Wed 4pm-2am  Thurs 4pm-2am  Fri 12pm-2am  Sat 12pm-2am  Sun 12pm-2am

Indoor Seating Capacity: 100  Outdoor Seating Capacity: 100  Gross Floor Area: 5,000 sq ft

APPLICATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 773*  Technology Fee $12  TOTAL COST $785

Renewal/Amendment Filing Fee 412*  Technology Fee $12  TOTAL COST $424

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE - WWW.MYGOVERNMENTONLINE.ORG/

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
PROPERTY OWNER AUTHORIZATION

I, [Name], (owner) acknowledge that I am the rightful owner of the property located at [Address] (address).

I hereby authorize [Agent Name] (agent name) to file this application for [Application Type] (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: [Signature]
Printed Name: [Printed Name]
Date: [Date]

Signature of Agent: [Signature]
Printed Name: [Printed Name]
Date: [Date]
AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and/or personal notice based on the type of application presented to the Planning Commission and/or City Council.

- Notification Signs: If required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter or remove a notification sign, or to remove it while the request is pending. However, any removal or alteration of the sign that is not the responsibility of the applicant shall not constitute a failure to meet notification requirements. It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place and have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.

- Published Notice: If required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. If for any reason, more than one notice is required to be published, it may be at the expense of the applicant. The restatement fee shall be $88 plus an $12 technology fee.

- Personal Notice: If required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be mailed, it may be at the expense of the applicant. The restatement fee shall be $88 plus a $12 technology fee.

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City’s Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: [Signature] Date: 12-12-2023
Print Name: [Print Name]

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-303-8230
Public Hearing
CUP-24-16
Eden

CUP-24-16 (Eden) Hold a public hearing and consider a request by David Foglia, on behalf of Eden, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages located at 206 West San Antonio Street. (C.Garrison)
Property Information

- Approximately 0.25 acres
- West San Antonio Street at the corner of Fredericksburg Street
Context & History

Currently Vacant

Surrounding Uses
  – Restaurant
  – Multifamily
  – Bar
  – Coffeeshop

2,800 sq ft Indoor Space
2,800 sq ft Outdoor Space
Context & History

- Existing Zoning: Character District (CD-5D)
- Proposed Use: Bar
  - Monday: Closed
  - Tuesday: Closed
  - Wednesday-Thursday: 4pm-2am
  - Friday-Sunday: 12pm-2am
Site Plan
Floor Plan
Recommendation

- Staff recommends **approval** of CUP-24-16 with the following conditions:
  1. The permit shall be valid for one (1) year, provided standards are met;
  2. Outdoor amplified music shall be limited to the hours between 10 am and 10:30 pm. on Saturday and Sunday, and 2 pm and 10:30 pm on weekdays;
  3. Shall become effective upon issuance of Certificate of Occupancy;
  4. The permit shall be posted in the same area and manner as the Certificate of Occupancy;
AGENDA CAPTION:
CUP-24-19 (Tumble 22) Hold a public hearing and consider a request by Mitch Liggett, on behalf of Tumble 22, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1104 Thorpe Lane, Suite D. (C.Garrison)
Meeting date: June 11, 2024

Department: Planning and Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
N/A
N/A

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Core Services
☒ Not Applicable
**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Vision San Marcos - A River Runs Through Us

**Background Information:**
This is a new request.

**Council Committee, Board/Commission Action:**
N/A

**Alternatives:**
N/A

**Recommendation:**
Staff recommends approval with the following conditions:
1. The permit shall be valid for one (1) year, provided standards are met;
2. Shall become effective upon issuance of Certificate of Occupancy;
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy;
### Conditional Use Permit

**1104 Thorpe Lane**
**Tumble 22, Suite D**

**Summary**

**Request:**  
New Conditional Use Permit

**Applicant:**  
Mitch Liggett  
6666 Cheney Paradise Valley  
(480) 747-3171

**Property Owner:**  
John David Carson  
Carson Diversified Properties 1 LLC  
407 S Stagecoach Trail, Suite 203  
San Marcos, TX 78666

**CUP Expiration:**  
N/A  
**Type of CUP:**  
Outside CBA/ Mixed Beverage

**Interior Floor Area:**  
5,689 sq ft  
**Outdoor Floor Area:**  
890 sq ft

**Parking Required:**  
57 spaces  
**Parking Provided:**  
Yes

**Days & Hours of Operation:**  
Monday – Saturday: 11am-10pm  
Sunday: 11am-9pm

**Notification**

**Posted:**  
5/24/2024  
**Personal:**  
5/24/2024

**Response:**  
None as of the date of this report

**Property Description**

**Legal Description:**  
Juan M Veramendi Survey#2, Acres 2.207  
Location: Northeast corner of Thorpe and Hopkins

**Acreage:**  
2.16 acres  
**PDD/DA/Other:**  
N/A

**Existing Zoning:**  
General Commercial  
**Proposed Zoning:**  
Same

**Existing Use:**  
Office/Retail  
**Proposed Use:**  
Restaurant

**Preferred Scenario:**  
High Intensity Zone  
**Proposed Designation:**  
Same

**CONA Neighborhood:**  
Millview West  
**Sector:**  
Sector 7

**Utility Capacity:**  
Adequate  
**Floodplain:**  
Yes

**Historic Designation:**  
N/A  
**My Historic SMTX Resources Survey:**  
No

**Surrounding Area**

<table>
<thead>
<tr>
<th>North of Property</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>General Commercial</td>
<td>Retail/ Restaurant</td>
<td>High Intensity Zone</td>
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<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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<tbody>
<tr>
<td></td>
<td>General Commercial/Public</td>
<td>Government/ Bar</td>
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</table>

<table>
<thead>
<tr>
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<th>Existing Land Use</th>
<th>Preferred Scenario</th>
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<tbody>
<tr>
<td></td>
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<td>Movie Theater</td>
<td>High Intensity Zone</td>
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<table>
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<th>West of Property</th>
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<th>Preferred Scenario</th>
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<tbody>
<tr>
<td></td>
<td>General Commercial</td>
<td>Grocery Store</td>
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</tbody>
</table>

**Staff Recommendation**

<table>
<thead>
<tr>
<th>Approval as Submitted</th>
<th>Approval with Conditions</th>
<th>Denial</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. The permit shall be valid for one (1) year, provided standards are met;
2. Shall become effective upon issuance of Certificate of Occupancy;
3. The permit shall be posted in the same area and manner as the Certificate of Occupancy;

**Staff:** Craig Garrison  
**Title:** Planner  
**Date:** 6/5/2024
History
This is a new request

Additional Analysis
see additional analysis below

Comments from Other Departments
Police    No Calls Reported
Fire      No Comment
Public Services No Comment
Engineering No Comment

Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)

<table>
<thead>
<tr>
<th>Consistent</th>
<th>Evaluation</th>
<th>Neutral</th>
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</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>

The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.

The proposed use is consistent with any adopted neighborhood character study for the area. Studies were not complete at the time of the request.

X
The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

X
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.

X
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.

X
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.

X
The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.

X
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.

X
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.
<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec. 2.8.3.4 &amp; 5.1.5.5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>The proposed use is not within 300 ft. of a church, public or private school, or public hospital.</td>
</tr>
<tr>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Inconsistent</td>
<td>The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.</td>
</tr>
<tr>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
Notice of Public Hearing
Conditional Use Permit Request
Sale of Mixed Beverages
1104 Thorpe Lane, Suite D

CUP-24-19 (Tumble 22) Hold a public hearing and consider a request by Mitch Leggett, on behalf of Tumble 22, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1104 Thorpe Lane, Suite D. (C.GARRISON)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at a hybrid, virtual / in person, meeting by the Planning and Zoning Commission on Tuesday, June 11, 2024 at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: http://sanmarcostx.gov/541/PZ-Video-Archives. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission, but wish to comment, you may write to the below address. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

For Planning & Zoning Commission
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, Craig Garrison, at 512.805.2649 or cgarrison@sanmarcostx.gov. When calling, please refer to case number CUP-24-19.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)
<table>
<thead>
<tr>
<th>Property ID</th>
<th>Site Address</th>
<th>Owner</th>
<th>Owner Address</th>
<th>Owner City/State/Zip</th>
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</thead>
<tbody>
<tr>
<td>39295</td>
<td>1113-15 HAYNES, SAN MARCOS, TX 78666</td>
<td>1113-15 HAYNES SAN MARCOS LLC</td>
<td>1508 GLENCREST DR</td>
<td>AUSTIN, TX 78723-1154</td>
</tr>
<tr>
<td>39332</td>
<td>1106 HAYNES ST, SAN MARCOS, TX 78666</td>
<td>BRADFORD HATIE</td>
<td>1303 HAYNES ST</td>
<td>SAN MARCOS, TX 78666-7043</td>
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<tr>
<td>39331</td>
<td>656 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>C&amp;O MARGARITA PORTFOLIO LLC</td>
<td>P.O. BOX 91065</td>
<td>SAN ANTONIO, TX 78209</td>
</tr>
<tr>
<td>99955</td>
<td>117 LONG ST, SAN MARCOS, TX 78666</td>
<td>CARLTON FAMILY SURVIVOR'S TRUST</td>
<td>Attn: CARLTON ROBBIE LEE TRUSTEE</td>
<td>GLENDALE, CA 91207-1018</td>
</tr>
<tr>
<td>12173</td>
<td>1104 THORPE LN, STE #D, SAN MARCOS, TX 78666</td>
<td>CARSON DIVERSIFIED PROPERTIES 1 LLC</td>
<td>407 S STAGECOACH TRL</td>
<td>SAN MARCOS, TX 78666-5063</td>
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<tr>
<td>166781</td>
<td>200 SPRINGTOWN WAY, SAN MARCOS, TX 78666</td>
<td>CH RETAIL FUND II/SAN MARCOS LYNDON I LP</td>
<td>3819 MAPLE AVE</td>
<td>DALLAS, TX 75219-3513</td>
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<tr>
<td>101389</td>
<td>701 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>COLE IV PORTFOLIO TX LLC</td>
<td>C/O WENDY'S PROPERTIES, LLC</td>
<td>DUBLIN, OH 43017-2093</td>
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<tr>
<td>164741</td>
<td>1180 THORPE LN, SAN MARCOS, TX 78666</td>
<td>GOMEZ SEPARATE PROPERTY TRUST</td>
<td>GOMEZ ALBERT J TRUSTEE</td>
<td>HILLSBOROUGH, CA 94010-6212</td>
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<tr>
<td>137003</td>
<td>641 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>H E BUTT GROCERY CO LP</td>
<td>PROPERTY TAX DEPT</td>
<td>SAN ANTONIO, TX 78283-3999</td>
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<tr>
<td>70820</td>
<td>115 LONG ST, SAN MARCOS, TX 78666</td>
<td>HACOLE II LLC</td>
<td>8705 WHITE CLIFF DR</td>
<td>AUSTIN, TX 78759-7725</td>
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<td>138481</td>
<td>660 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>MARTUNIAN DEVELOPMENT LLC</td>
<td>911 SPRING TIDE DR</td>
<td>NEWPORT BEACH, CA 92660-5210</td>
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<td>166780</td>
<td>200 SPRINGTOWN WAY, STE #14, 116 &amp; 118, SAN MARCOS, TX 78666</td>
<td>HERE LYNDON LP</td>
<td>444 W LAKE ST</td>
<td>CHICAGO, IL 60606-0069</td>
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<td>12179</td>
<td>12173 HAYNES ST, SAN MARCOS, TX 78666</td>
<td>NG ASSOCIATES LLC</td>
<td>1010 W 11TH ST</td>
<td>AUSTIN, TX 78731</td>
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<tr>
<td>39334</td>
<td>1205 HAYNES, SAN MARCOS, TX 78666</td>
<td>LONDON-GRAY BILLI J &amp; LONDON DANIEL GRAY</td>
<td>1608 E GARFIELD ST</td>
<td>LARAMIE, WY 82070-4263</td>
</tr>
<tr>
<td>25367</td>
<td>651 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>MOTHERS WINDOW TINT &amp; ALARMS</td>
<td>16274 SAN PEDRO AVE</td>
<td>SAN ANTONIO, TX 78232-3070</td>
</tr>
<tr>
<td>39304</td>
<td>1130 FIELD ST, SAN MARCOS, TX 78666</td>
<td>DINK, TERI M</td>
<td>1131 FIELD ST</td>
<td>SAN MARCOS, TX 78666</td>
</tr>
<tr>
<td>39331</td>
<td>1305 HAYNES ST, SAN MARCOS, TX 78666</td>
<td>GLACIERS INVESTMENTS LLC</td>
<td>714 BURLINGTON ST</td>
<td>SAN MARCOS, TX 78666-4335</td>
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<tr>
<td>27104</td>
<td>200 ROBBIE LN, SAN MARCOS, TX 78666</td>
<td>SM ENGLEBROOK LP</td>
<td>3517 CYPRESS WAY</td>
<td>SANTA ROSA, CA 95405</td>
</tr>
<tr>
<td>27105</td>
<td>1101 THORPE LN, STE #101, 103, 105, 107, SAN MARCOS, TX 78666</td>
<td>TIANUS CORP</td>
<td>8000 W INTERSTATE 10</td>
<td>SAN ANTONIO, TX 78230-3868</td>
</tr>
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<td>39335</td>
<td>650 E HOPKINS ST, SAN MARCOS, TX 78666</td>
<td>WARNER FAMILY LLC</td>
<td>1804 Deep Pocket DR</td>
<td>Leander, TX 78641</td>
</tr>
</tbody>
</table>

CONA Rep Ana Mendoza
CONA Rep Amy Thomaides
CONA Rep Bobbie Garza-Hernandez
CONA Rep Heidi Mckitrick
CONA Rep Roland Saucedo
CONA Rep Heinzi McKitrick
CONA Rep Teri M Dink
EXISTING 1104 THORPE RETAIL BUILDING
24,000 SF

EXISTING PARKING SPACES: 95  |  TOTAL RESTRIPED PARKING SPACES: 96  (INCLUDING 4 ACCESSIBLE SPACES)

EXISTING SIGN TO BE REPLACED
EXISTING DRAIN INLET
EXISTING TRASH AND RECYCLING

NEW (4) BIKERACKS ON RAISED FLATWORK - 56 LF / 339 SF
NEW 1104 THORPE RETAIL BUILDING
24,000 SF
ADJACENT SPRINGTOWN CENTER

LEGEND
- EXISTING TREE + SHRUB
- EXISTING GRASS AREA
- NEW TREE + SHRUB (COUNT TBD)
- NEW LANDSCAPING (-3234 SF TOTAL LANDSCAPE)
- NEW MISC. CONCRETE WORK (-572 LF TOTAL CURB/338 SF TOTAL FLATWORK/-158 SF TOTAL RAMP)
- REPLACE ASPHALT

REPLACE ASPHALT
1104 THORPE LANE RETAIL CENTER
PROPOSED PARKING LOT RESTRIPING + GREENING PLAN

EXHIBIT IS ILLUSTRATIVE ONLY. NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

10/25/2023
A1
TUMBLE 22
TEXAS CHICKEN JOINT

SANDWICHES  (ADD ANY SIDE - $2)

THE O.G. .......................... $12.49
all-natural breast, topped with coleslaw, bread-n-butter pickles, duke’s mayo

LIL’ O.G. .......................... $8.49
all-natural breast, grilled or legendary crispy, topped with coleslaw, bread-n-butter pickles, duke’s mayo

THE SOUTHERN .................. $9.99
crispy boneless chicken thigh, bread-n-butter pickles, duke’s mayo

KOREAN-STYLE O.G. .......... $11.95
korean style thigh with a gochujang kick, bread-n-butter pickles, kimchi carrot slaw, duke’s mayo

SANDWICH ADD-ONS
white american cheese - $1 · fried egg - $1
avocado - $1.50 · bacon - $1.50 · mac n cheese - $1.50

BONE-IN CHICKEN
(LEGENDARY CRISPY OR KOREAN STYLE)

1/4 DARK (1 THIGH & 1 LEG)  .... $9.49
choose 2 sides & bread-n-butter pickles

1/4 WHITE (1 BREAST & 1 WING) .... $10.49
choose 2 sides & bread-n-butter pickles

1/2 MIXED (LEG, BREAST, THIGH & WING) .... $15.49
choose 2 sides & bread-n-butter pickles

2 PIECE BONELESS THIGHS .... $7.79
choose 1 side & bread-n-butter pickles

3 PIECE BONELESS THIGHS .... $8.99
choose 1 side & bread-n-butter pickles

TENDERS & BITES
(LEGENDARY CRISPY, GRILLED, OR KOREAN STYLE)
(ADD ANY SIDE - $2)

2 PIECE JUMBO TENDERS .... $8.99
choose 1 sauce

3 PIECE JUMBO TENDERS .... $11.29
choose 2 sauces

8 PIECE CHICKEN BITES .... $8.99
choose 1 sauce

12 PIECE CHICKEN BITES .... $11.29
choose 2 sauces

GET ANY CHICKEN KOREAN-STYLE

SALADS
(LEGENDARY CRISPY, GRILLED, OR KOREAN STYLE)

HALF COBB / COBB .... $8.49 / $12.49
choice of jumbo tenders, bites, or breast, romaine, heavenly eggs, avocado, tomato, bacon, cheddar cheese, hard boiled egg, choice of dressing

CAESAR SALAD .... $12.49
choice of jumbo tenders, bites, or breast, romaine, dried cranberries, green pumpkin seeds, caesar dressing, parmesan

MADE IN-HOUSE DAILY SIDES
BROCCOLI SALAD · MAC-N-CHEESE · COLESLAW · RANCH BEANS · SEVE’S COLLARD GREENS · FRIES

HEAT LEVELS
PAINLESS (TRADITIONAL) · HOT (SE-SEEDED JALAPENO) · MUS’ HOT! (MILITARY) · DANG HOT! (STRENGTH) · CLICKIN’ HOT! (PAINBANG) · STUPID HOT!!! (GHOST)
CONSUMING RAW OR UNCOOKED MEATS, POULTRY, SHELLFISH OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS.

HOUSEMADE SIDES

BROCCOLI SALAD
regular - $3 · large - $6

COLESLAW
regular - $3 · large - $6

SEVE’S COLLARD GREENS
regular - $3 · large - $6

MAC-N-CHEESE
regular - $4 · large - $8

MAKE IT LARGE & DIRTY - $1.50
(pulled hot chicken & ranch)

RANCH BEANS
regular - $3 · large - $6

FRIES $5.50

HOUSEMADE PIES

PECAN CHOCOLATE TOFFE
slice- $5.50 · whole - $27.50

KEY LIME PIE
slice- $5 · whole - $25

BUTTERMILK PIE
slice- $5 · whole - $25

CHOCOLATE CREAM
slice- $5 · whole - $25

PEANUT BUTTER CHOCOLATE MOUSSE PIE
slice- $5 · whole - $25

HAVE FUN. DO GOOD. BE LEGENDARY.

HAVE A FUNDRAISER OR CAUSE TO SUPPORT?
WE PLEDGE OURSELVES TO BE GREAT MEMBERS OF OUR COMMUNITY. SEND US AN EMAIL AND WE WILL BE IN TOUCH:
INFO@TUMBLE22.COM

CHECK OUT OUR REWARDS!
FREE ITEMS FOR ENROLLMENT, B-DAYS, ETC.

CHECK OUT OUR ROTATING CRAFT & DOMESTIC BEERS

ROCKS MARGARITA $7.99
texan swagger
tequila, house made mix, rocks

HOUSE FROZEN MARGARITA $7.99
frozen fire
tequila, triple sec, blood orange

BIG LARRY $8.99
turbocharged margarita
frozen blood orange, grand marnier float

LIL’ LARRY $5.50
a lil’ version of the big larry when you have a round of golf to play

PALOMA $7.99
bold fusion
grapefruit, tequila, frizzy soda

60 / 40 $7.99
citrus kick
frozen blood orange margarita, beer

MOSCOW MULE $7.99
ice-cold power
vodka, ginger beer, lime juice

JOHN DALY $7.99
champ sip
sweet tea vodka, lemonade

ADULT LEMONADE $7.99
wild upgrade
spiked lemonade

BLOODY MARY $9.99
spicy wake-up
blue cheese olive, hot chicken bite

MARIA’S BBQ · RANCH · COMEBACK
HONEY MUSTARD

(ALL SAUCES ARE 50¢)

CHECK OUT OUR REWARDS!
FREE ITEMS FOR ENROLLMENT, B-DAYS, ETC.

CONSUMING RAW OR UNCOOKED MEATS, POULTRY, SHELLFISH OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS.
CONDITIONAL USE PERMIT APPLICATION
(ALCOHOL OUTSIDE CBA)

Updated: August, 2023

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>Mitch Liggett</th>
<th>Property Owner</th>
<th>John David Carson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Tumble 22</td>
<td>Company</td>
<td>Carson Diversified Properties 1</td>
</tr>
<tr>
<td>Applicant’s Mailing Address</td>
<td>6666 Cheney Paradise Valley</td>
<td>Owner’s Mailing Address</td>
<td>407 S Stagecoach Trl, Ste 203</td>
</tr>
<tr>
<td>Applicant’s Phone #</td>
<td>(480) 747-3171</td>
<td>Owner’s Phone #</td>
<td>(512) 392-3322</td>
</tr>
<tr>
<td>Applicant’s Email</td>
<td><a href="mailto:mitchl@hopdoddy.com">mitchl@hopdoddy.com</a></td>
<td>Owner’s Email</td>
<td><a href="mailto:johndavid@carsonproperties.com">johndavid@carsonproperties.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address: 1104 Thorpe Ln, Ste D, San Marcos, TX 78666

Zoning District: General Commercial
Tax ID #: R 12173
Legal Description: Lot n/a Block n/a Subdivision A0017-2 JUAN M VERAMEI
Number of Parking Spaces: 96

Is property more than 300’ from church, school, hospital, or residential district? ☑ Y ☐ N

DESCRIPTION OF REQUEST

Business Name: Tumble 22 ☑ Restaurant ☐ Bar ☐ Other: ____________________________

☑ NEW ☐ RENEWAL/AMENDMENT ☑ Mixed Beverage ☑ Beer & Wine ☐ Late Hours

Hours of Operation (ex. Mon 12pm-1am): Mon 11A - 10P Tue 11A - 10P Wed 11A - 10P
Thurs 11A - 10P Fri 11A - 10P Sat 11A - 6P Sun 11A - 9P

Indoor Seating Capacity: 76 Outdoor Seating Capacity: 32 Gross Floor Area: 4,583

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 1,000* Technology Fee $15 TOTAL COST $1,015
Renewal/Amendment Filing Fee $750* Technology Fee $15 TOTAL COST $765

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.
I, ____________________________ (owner name) on behalf of Carson Diversified Properties 1, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 1104 Thorpe Lane (address).

I hereby authorize Mitch Liggett (agent name) on behalf of Tumble22 (agent company) to file this application for CUP (Alcohol Outside CBA) (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: ____________________________ Date: 3/13/2024
Printed Name, Title: John David Carson, COO of GP of Sole Mbr

Signature of Agent: ____________________________ Date: 4/3/24
Printed Name, Title: MITCH LIGGETT VP DEVELOPMENT

Form Updated October, 2019
AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and/or personal notice based on the type of application presented to the Planning Commission and/or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place and have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.

- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be $150 plus a $15 technology fee.

- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be $150 plus a $15 technology fee.

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City’s Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: [Signature]
Date: 3/13/2024

Print Name: John David Carson
Public Hearing
CUP-24-19
Tumble 22

CUP-24-19 (Tumble 22) Hold a public hearing and consider a request by Mitch Leggett, on behalf of Tumble 22, for a Conditional Use Permit to allow on premise consumption of Mixed Beverages, located at 1104 Thorpe Lane, Suite D. (C.Garrison)
Property Information

• Approximately 2.16 acres

• Located at the northeast corner of Thorpe Lane and Hopkins Street
Context & History

Currently Vacant

Surrounding Uses
- Restaurant
- Retail
- Bar
- Movie Theater
- Grocery Store
Context & History

• Existing Zoning: General Commercial (GC)

• Proposed Use: Restaurant
  – Monday- Saturday: 11am-10pm
  – Sunday: 11am-9pm

• This is a new request
Site Plan

PROJECT LOCATION

EXISTING 1104 THORPE RETAIL BUILDING
24,000 SF

ADJACENT SPRINGTOWN CENTER

EXISTING CONCRETE DRIVE

TRASH AND RECYCLING

EAST HOPKINS ST.

EXISTING SIGN

TROPE LN.
Recommendation

- Staff recommends **approval** of CUP-24-19 with the following conditions:
  1. The permit shall be valid for one (1) year, provided standards are met;
  2. Shall become effective upon issuance of Certificate of Occupancy;
  3. The permit shall be posted in the same area and manner as the Certificate of Occupancy;
AGENDA CAPTION:
CUP-24-20 (Dre’s Daiquiri Shop) Hold a public hearing and consider a request by Andrea Villescaz, on behalf of Dre’s Daiquiri Shop, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 165 S. Guadalupe Street. (C. Garrison)
Meeting date: June 11, 2024

Department: Planning and Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
N/A
N/A

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Core Services
☒ Not Applicable
**Background Information:**
This is a new request. Staff finds it worth noting that the applicant for this Daiquiri shop was the previous owner of Longhorn Daiquiris. Longhorn Daiquiris received a CUP (CUP-22-10) in 2020 and was found in violation by multiple city departments including noise disturbances (Police Department) and operating without a Food Permit (Environmental Health/Code Compliance). Longhorn Daiquiris was denied their CUP renewal in 2022.

**Council Committee, Board/Commission Action:**
N/A

**Alternatives:**
N/A

**Recommendation:**
Staff recommends **approval** with the following conditions:
1. The permit shall be valid for one (1) year, provided standards are met;
2. No outdoor live or amplified music shall be allowed;
3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary;
4. The business shall be responsible for maintaining all areas within 50 feet of an exit, and all areas within the permitted property in a clean and sanitary condition, free from litter and refuse at all times;
5. The permit shall become effective upon issuance of a Food Permit and Certificate of Occupancy; and
6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.
Conditional Use Permit | 165 S Guadalupe  
CUP-24-20 | Dre’s Daiquiri Shop

**Summary**

<table>
<thead>
<tr>
<th>Request:</th>
<th>New Conditional Use Permit</th>
</tr>
</thead>
</table>
| Applicant: | Andrea Villescaz  
Dre’s Daiquiri Shop  
445 Split Rail Parkway  
Kyle, Texas 78650 |
| Property Owner: | Eva Pollack  
EKP Guadalupe SM LLC  
5615 McCarty Lane  
Austin, TX 78749 |
| CUP Expiration: | N/A |
| Type of CUP: | CBA Restaurant / Beer & Wine |
| Interior Floor Area: | 700 sq ft |
| Outdoor Floor Area: | N/A |
| Parking Required: | 0 spaces |
| Parking Provided: | No |
| Days & Hours of Operation: | Monday-Sunday: 11am-10pm |

**Notification**

<table>
<thead>
<tr>
<th>Posted:</th>
<th>5/24/2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal:</td>
<td>5/24/2024</td>
</tr>
<tr>
<td>Response:</td>
<td>None as of the date of this report</td>
</tr>
</tbody>
</table>

**Property Description**

| Legal Description: | Original Town of San Marcos, Block 13, Lot 11A |
| Location: | Guadalupe Street, approximately 260 feet north of the intersection of MLK Drive |
| Acreage: | 0.31 acres |
| PDD/DA/Other: | N/A |
| Existing Zoning: | CD-5D |
| Proposed Zoning: | Same |
| Existing Use: | Vacant |
| Proposed Use: | Restaurant |
| Preferred Scenario: | High Intensity Zone |
| Proposed Designation: | Same |
| CONA Neighborhood: | Downtown (CBA) |
| Sector: | Sector 8 |
| Utility Capacity: | Adequate |
| Floodplain: | No |
| Historic Designation: | N/A |
| My Historic SMTX Resources Survey: | Low (Not Historic) |

**Surrounding Area**

<table>
<thead>
<tr>
<th>North of Property:</th>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>South of Property:</td>
<td>CD-5D</td>
<td>Office/ Bar/ Multifamily</td>
<td>High Intensity Zone</td>
</tr>
<tr>
<td>East of Property:</td>
<td>CD-5D</td>
<td>Retail/Office/ Restaurants/ Bar</td>
<td>High Intensity Zone</td>
</tr>
<tr>
<td>West of Property:</td>
<td>CD-5D</td>
<td>Restaurant/ Retail</td>
<td>High Intensity Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Office/ Retail</td>
<td>High Intensity Zone</td>
</tr>
</tbody>
</table>
**Conditional Use Permit**  
**CUP-24-20**  
**165 S Guadalupe**  
**Dre’s Daiquiri Shop**

**Staff Recommendation**

<table>
<thead>
<tr>
<th>Action</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval as Submitted</td>
<td>X</td>
</tr>
<tr>
<td>Approval with Conditions</td>
<td></td>
</tr>
<tr>
<td>Denial</td>
<td></td>
</tr>
</tbody>
</table>

1. The permit shall be valid for one (1) year, provided standards are met;
2. No outdoor live or amplified music shall be allowed;
3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary;
4. The business shall be responsible for maintaining all areas within 50 feet of an exit, and all areas within the permitted property in a clean and sanitary condition, free from litter and refuse at all times;
5. The permit shall become effective upon issuance of a Food Permit and Certificate of Occupancy; and
6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

**Staff:** Craig Garrison  
**Title:** Planner  
**Date:** 6/5/2024

**History**

This is a new request.

**Additional Analysis**

Staff finds it worth noting that the applicant for this Daiquiri shop was the previous owner of Longhorn Daiquiris. Longhorn Daiquiris received a CUP (CUP-22-10) in 2020 and was found in violation by multiple city departments including noise disturbances (Police Department) and operating without a Food Permit (Environmental Health/Code Compliance). Longhorn Daiquiris was denied their CUP renewal in 2022.

**Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)**

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
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</tbody>
</table>

- The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.

- The proposed use is consistent with any adopted neighborhood character study for the area.  
  **Studies were not complete at the time of the request.**

<table>
<thead>
<tr>
<th>Evaluation</th>
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</tr>
</thead>
<tbody>
<tr>
<td>X</td>
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</table>

- The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

<table>
<thead>
<tr>
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<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
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</tbody>
</table>

- 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.

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
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</tbody>
</table>

- 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.

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
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</tbody>
</table>

- 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.

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Consistent</th>
<th>Inconsistent</th>
<th>Neutral</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
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</tbody>
</table>

- The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties.
### Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td>X</td>
<td>The proposed use is not within 300 ft. of a church, public or private school, or public hospital.</td>
</tr>
<tr>
<td>X</td>
<td>The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.</td>
</tr>
</tbody>
</table>
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/22/2024
Notice of Public Hearing
Conditional Use Permit Request
Sale of Beer & Wine
165 Guadalupe Street

CUP-24-20 (Dre’s Daiquiri Shop) Hold a public hearing and consider a request by Andrea Villegas, on behalf of Dre’s Daiquiri Shop, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 165 S. Guadalupe Street. (C. Garrison)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be held at a hybrid, virtual / in person, meeting by the Planning and Zoning Commission on **Tuesday, June 11, 2024** at 6:00 p.m. in the City Council Chambers, 630 E. Hopkins. One may watch the public hearing on Grande channel 16, Spectrum channel 10, or by using the following link: [http://sanmarcostx.gov/541/PZ-Video-Archives](http://sanmarcostx.gov/541/PZ-Video-Archives). Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing virtually by computer, mobile device, or phone.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person, but are encouraged to watch or participate in the public hearing by the means described above. If you cannot participate in the public hearing of the Planning and Zoning Commission, but wish to comment, you may write to the below address. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

**For Planning & Zoning Commission**
Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, Craig Garrison, at 512.805.2649 or cgarrison@sanmarcostx.gov. When calling, please refer to case number CUP-24-20.

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)
Join TABC in the fight against Human Trafficking

TABC has enhanced our license and permit application process. We encourage you to take advantage of our user-friendly online application process through the Alcohol Industry Management System (AIMS). If you are unable to submit your application via AIMS, you may complete the paper application below. If you submit a paper application, it will take considerably longer to obtain your license or permit.

Complete this form to apply for an original license or permit, or to make certain changes to an existing license or permit. Ultimate responsibility for the privilege of holding such license or permit rests on the applicant or license/permit holder. Visit our website (www.tabc.texas.gov) for statutory requirements, authorities or to find your local office.

Initial Information

1. Application for:
   - [ ] Reinstatement
   - [ ] Change of Location Permit
   - [ ] Reinstatement and Change of Trade Name Permit

<table>
<thead>
<tr>
<th>City</th>
<th>License/Permit Number</th>
<th>Reinstatement and Change of Trade Name</th>
<th>License/Permit Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2A. Type of Off-Premise License/Permit

- [ ] BF Retail Dealer's Off-Premise License
- [ ] BB Brewpub License
- [ ] BE Retail Dealer's On-Premise License
- [ ] BP Brewpub License

<table>
<thead>
<tr>
<th>License/Permit Number</th>
<th>ET Third-Party Local Cartage Permit</th>
<th>P Package Store Permit</th>
<th>Q Wine Only Package Store</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2B. Type of On-Premise License/Permit

- [ ] BE Retail Dealer's On-Premise License
- [ ] BC Branch Distributor's License
- [ ] BD General Distributor's License
- [ ] BF Brewpub License

<table>
<thead>
<tr>
<th>License/Permit Number</th>
<th>E Local Cartage Permit</th>
<th>D Distillers and Rectifiers Permit - allows on-premise consumption</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Trade Name of Location (Name of restaurant, bar, store, distributor company, etc.)

Dre's Daiquiri Shop

4. Location Address, Street Number, and Street Name

105 S Buena Vista St. Unit #11

San Marcos, TX 78666

5. Mailing Address Number, Street Name

415 Sportrail Parkway

Ryle, KY 78640

6. Business Phone, Alternate Phone, and E-mail Address

(572) 400-9465

(512) 905-7442

dre.daiquiri shop@gmail.com

Business Information

7. Name of Business/Applicant (Name of Corporation, Sole Proprietor, LLC, etc.)

Andrea Yllescas

8. SSN or General Employer Identification Number (FEIN)

456-87-9468

9. Individual [ ] Officer [ ] Director [ ] Stockholder [ ] Trustee (Mark All That Apply)

   [ ] Individual
   [ ] Officer
   [ ] Director
   [ ] Stockholder
   [ ] Trustee

   Last Name | First Name | MI | Title
   -----------|------------|----|--------
   Yllescas | Andrea |                    

   Date of Birth (mm/dd/yyyy) | Class & No. of Shares/Percentage Membership or Units Held
   10/11/1976 | 100%

   [ ] Officer
   [ ] Director
   [ ] Stockholder
   [ ] Trustee (Mark All That Apply)

   Last Name | First Name | MI | Title
   -----------|------------|----|--------

   [ ] Officer
   [ ] Director
   [ ] Stockholder
   [ ] Trustee (Mark All That Apply)

   Last Name | First Name | MI | Title
   -----------|------------|----|--------

   [ ] Officer
   [ ] Director
   [ ] Stockholder
   [ ] Trustee (Mark All That Apply)

   Last Name | First Name | MI | Title
   -----------|------------|----|--------

Page 1 of 8

Form L-IA (10/2022)
CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT LB & BL
Chapters 29 & 70 et seq

I hereby certify on this ______ day of _____________, 20____, that one of the below are correct:

- The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____________ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

OR

- I hereby refuse on this ______ day of _____________, 20____ to certify this location.

SIGN
HERE

County Clerk

SEAL

COUNTY

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE
Section 11.46 (b) & 61.42 (b)

This is to certify on this ___01___ day of DECEMBER, 2023, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number 32008061189 Outlet Number 00004

Print Name of Comptroller Employee NATALIA STREETER

Print Title of Comptroller Employee ENFORCEMENT OFFICER

SIGN
HERE

FIELD OFFICE 24117

SEAL

PUBLISHER'S AFFIDAVIT FOR MB, LB, RM, BP, I
Section 11.39 and 61.38

Name of newspaper The Daily Record

City, County San Marcos, Hays

Dates notice published in daily/weekly newspaper (MM/DD/YYYY)
April 9, 2024; April 10, 2024

Publisher or designee certifies attached notice was published in newspaper stated on dates shown.

Signature of publisher or designee

Sworn to and subscribed before me on this date (MM/DD/YYYY)

Signature of Notary Public

SEAL
Google Maps  165 S Guadalupe St

165 S Guadalupe St
Building

Directions  Save  Nearby  Send to phone  Share

165 S Guadalupe St, San Marcos, TX 78666
12 ft long ordering counter

Room is 20 ft x 18 ft.
Food Menu  Available 11am to 10pm Daily

1. **Ceviche**
   Shrimp cooked in lime juice w/ tomato, onion, peppers, avocados served cold and kept cold; served w/ crackers

2. **Beef HotDog**
   Precooked; heated on hotdog roller; Buns heated on flat electric griddle

3. **Pizza**
   8 in Pepperoni or Cheese pizza bought frozen and heated in Commercial Electric oven (approved by fire department)

4. **Sandwich and Chips**
   Turkey, bacon (precooked) cheese pressed and melted in electric panini sandwich press

5. **Corn in Cup**
   Frozen corn heated in warmer, butter, served w/ crema, Parm cheese, and chili incup.

6. **Nachos**
   Cheese kept in Electric Commercial Warmer served over nachos or cheetos w/ jalepenos

7. **Frito Pie**
   Chile kept in electric warmer served over frito w/ nacho cheese

8. **Ham and Cheese Sandwich**
   Ham and cheese sandwich served cold or heated in sandwich press.
Alcohol Drink Menu (To Go)

Flavors: Strawberry, Pina Colada, MargaRita (Wine Based Daiquiri Mix)

12oz Daiquiri $5.00
20oz Daiquiri $8.00
32oz Daiquiri $13.00
1/2 gallon $23.00

BEER (to go)

Modelo Corona Postr $4.00
Budweiser and Bud Light $3.50
Plan for Detailed Entertainment

55" TV screen for menu only

- no stage
- no dance area
- no live music
- no acoustic music

Food and drink menu all to go items.
CONDITIONAL USE PERMIT APPLICATION
(ALCOHOL WITHIN CBA)

Updated: August, 2023

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Andrea Villescaz</th>
<th>Property Owner</th>
<th>Eva Pollack</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>De's Daiquiri Shop</td>
<td>Company</td>
<td>EKP Guadalupe sm LLC</td>
</tr>
<tr>
<td>Applicant's Mailing Address</td>
<td>445 SplitRail Parkway</td>
<td>Owner's Mailing Address</td>
<td>512 665 1120</td>
</tr>
<tr>
<td>Applicant's Phone #</td>
<td>512 905 1442</td>
<td>Owner's Phone #</td>
<td>512 665 1120</td>
</tr>
<tr>
<td>Applicant's Email</td>
<td><a href="mailto:pat@hart-properties.com">pat@hart-properties.com</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Subject Property Address: 165 S. Guadalupe St San Marcos TX 78666

Zoning District: ___________________________ Tax ID #: R

Legal Description: Lot _______ Block _______ Subdivision ___________________________

Number of Parking Spaces: _______

Is property more than 300’ from church, school, hospital, or residential district? ☑ Y ☐ N

DESCRIPTION OF REQUEST

Business Name: De's Daiquiri Shop ☑ Restaurant ☐ Bar ☐ Other: _______

☐ NEW ☑ RENEWAL/AMENDMENT ☐ Mixed Beverage ☑ Beer & Wine ☐ Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 11am-10pm Tue 11am-10pm Wed 11am-10pm Thurs 11am-10pm Fri 11am-10pm Sat 11am-10pm Sun 11am-10pm

Indoor Seating Capacity: _______ Outdoor Seating Capacity: _______ Gross Floor Area: 700 sqft.

AUTHORIZED

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 1,000* Technology Fee $15 TOTAL COST $1,015

Renewal/Amendment Filing Fee $750* Technology Fee $15 TOTAL COST $765

Submittal of this digital Application shall constitute as acknowledgment and authorization to process his request.

© 2015 & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
PROPERTY OWNER AUTHORIZATION

I, Eva Pollack (owner name) on behalf of EKP Guadalupe SM, LLC (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 165 S Guadalupe Street, San Marcos TX 78666 (address).

I hereby authorize Andrea Villicaz (agent name) on behalf of Dre's Daiquiri (agent company) to file this application for beer and wine BG (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: ___________________________ Date: 4/17/24
Printed Name, Title: owner

Signature of Agent: ___________________________ Date: __________
Printed Name, Title: ___________________________

Form Updated October, 2019
AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- **Notification Signs:** if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. *It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had they not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.*

- **Published Notice:** if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. *If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be $150 plus a $15 technology fee.*

- **Personal Notice:** if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. *If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be $150 plus a $15 technology fee.*

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: [Signature]
Print Name: [Print Name]
Date: 4-17-24

Form Updated March, 2023

Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230
Public Hearing
CUP-24-20
Dre’s Daiquiri Shop

CUP-24-20 (Dre’s Daiquiri Shop) Hold a public hearing and consider a request by Andrea Villescaz, on behalf of Dre’s Daiquiri Shop, for a Conditional Use Permit to allow on premise consumption of Beer & Wine, located at 165 S. Guadalupe Street. (C. Garrison)
Property Information

- Approximately 0.31 acres
- Located on Guadalupe Street, approximately 260 feet north of the intersection with MLK Jr. Drive
Context & History

Currently Vacant

Surrounding Uses

– Office
– Bar
– Multifamily
– Retail
Context & History

• Existing Zoning:
  Character District – 5 Downtown (CD-5D)

• Located within the Central Business Area (CBA)

• Proposed Use:
  To-go alcoholic beverages
  – Monday-Sunday: 11am-10pm
Proposed Menu

Alcohol Drink Menu (To go)

Flavors: Strawberry, Pineapple, Colada, Margarita
(Wine Based Daiquiri mix)

12 oz Daiquiri $5.00
20 oz Daiquiri $8.00
32 oz Daiquiri $13.00
1/2 gallon $23.00

BEER (To go)

Modelo Corona Pils 4.00
Budweiser and Bud Light 3.50
Proposed Menu

- **Ceviche**: Shrimp cooked in lime juice, float, onion, peppers, avocado. Served cold and kept cold; served w/ crackers.
- **Beef Hotdog**: Precoked; heated by hotdog roller; Buns heated on flat electric griddle.
- **Pizza**: Spin Pepponi or cheese pizza bought frozen and heated in commercial Electric oven (approved by Fire Department).
- **Sandwich and Chips**: Turkey, bacon (precooked), cheese, pressed and melted in electric panini sandwich press.
- **Corn cup**: Heated in warmer, butter, served w/ amo, Parm cheese, and chili incup.
- **Nachos**: Cheese kept in electric commercial warmer served over nachos or chips w/ jalapenos.
- **Frito Pie**: Chile kept in electric warmer served over fried w/ nacho cheese.
- **Ham and Cheese Sandwich**: Ham and cheese sandwich served cold or heated in sandwich press.
Floor Plan
Recommendation

Staff recommends approval of CUP-24-20 with the following conditions:

1. The permit shall be valid for one (1) year, provided standards are met;
2. No outdoor live or amplified music shall be allowed;
3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary;
4. The business shall be responsible for maintaining all areas within 50 feet of an exit, and all areas within the permitted property in a clean and sanitary condition, free from litter and refuse at all times;
5. The permit shall become effective upon issuance of a Food Permit and Certificate of Occupancy; and
6. The permit shall be posted in the same area and manner as the Certificate of Occupancy.
AGENDA CAPTION:
PC-23-38 (Replat of the Nash Amended Plat) Hold a public hearing and consider a request by Steve Ihnen, on behalf of Blanco Trace Development, LLC and CDN/ETN LP, for approval of a Replat of the Nash Subdivision Amended Plat, Lot 1, creating Lots 1A and 2A to be known as the Replat of the Amended Plat of Lot 1 Nash Subdivision and the Subdivision of Lot 2A, consisting of approximately 24.21 acres and located at 3209 N IH 35. (W. Rugeley)
Meeting date: June 11, 2024

Department: Planning & Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
N/A
N/A

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Core Services
**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

**Background Information:**
This plat application was previously considered and approved by P&Z on 10 October 2023. The purpose of that replat was and remains swapping land between the two owners of the platted area and to establish new lots. Since P&Z’s initial approval, revisions to the plat were requested by one of the two owners which include: (a) reducing the total number of lots from three to two, (b) correcting typos, (c) changing the plat’s title to specify that one new lot is being created, and (d) other minor and ministerial changes.

**Council Committee, Board/Commission Action:**
Click or tap here to enter text.

**Alternatives:**
Click or tap here to enter text.

**Recommendation:**
Staff recommends **approval** of PC-23-38, as presented.
Summary

Request: Consideration of a Replat Creating 2 General Commercial Lots

Applicant: Steve Ihnen
7701 San Felipe
Ste. 200
Austin, TX 78729

Property Owner: CDN/ETN LP
3209 IH-35
San Marcos, TX 78666

Parkland Required: N/A
Utility Capacity: Adequate
Accessed from: IH35 Frontage Road
New Street Names: N/A

Notification
Published: 5/19/2024
Response: None as of the date of this report

Property Description

Location: Approx. 4,500’ south of the Yarrington Rd and IH35 intersection
Acreage: 24.21 acres
PDD/DA/Other: N/A
Existing Zoning: GC
Preferred Scenario: Employment Area
Proposed Use: Uses authorized by the GC District
CONA Neighborhood: N/A
Sector: 7

Surrounding Area

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>GC</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>HC</td>
<td>Office Uses</td>
</tr>
<tr>
<td>East</td>
<td>LI</td>
<td>Vacant</td>
</tr>
<tr>
<td>West</td>
<td>MF-24</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

Staff Recommendation

X Approval as Submitted

Approval with Conditions / Alternate
Denial

Staff: Will Rugeley, AICP
Title: Planner
Date: June 5, 2024

History
N/A.

Additional Analysis

This plat application was previously considered and approved by P&Z on 10 October 2023. The purpose of that replat was and remains swapping land between the two owners of the platted area and to establish new lots. Since P&Z’s initial approval, revisions to the plat were requested by one of the two owners which include: (a) reducing the total number of lots from three to two, (b) correcting typos, (c) changing the plat’s title to specify that one new lot is being created, and (d) other minor and ministerial changes.
## Evaluation of Plat – Replat

### Replat of the Nash Amended Plat

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec. 3.2.3.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>If no preliminary subdivision or development plat has been approved the criteria in Section 3.2.2.4 shall apply;</td>
</tr>
<tr>
<td>Inconsistent</td>
<td>The final subdivision plat or final development plat, as applicable, conforms to the approved preliminary subdivision plat or preliminary development plat, except for minor changes authorized under Section 3.2.3.5;</td>
</tr>
<tr>
<td>Neutral</td>
<td>Where public improvements have been installed, the improvements conform to the approved public improvement construction plans and have been approved for acceptance by the Responsible Official;</td>
</tr>
<tr>
<td></td>
<td>Where the Planning and Zoning Commission has authorized public improvements to be deferred, the subdivision improvement agreement and surety have been executed and submitted by the property owner in accordance with Section 3.4.2.1;</td>
</tr>
<tr>
<td></td>
<td>The final layout of the subdivision or development meets all standards for adequacy of public facilities in accordance with Section 3.5.1.1; and</td>
</tr>
<tr>
<td></td>
<td>The plat meets any County standards to be applied under an interlocal agreement between the City and a County under Tex. Loc. Gov’t Code Ch. 242, where the proposed development is located in whole or in part in the ETJ of the City and in the county.</td>
</tr>
</tbody>
</table>
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/18/2024
The Planning and Zoning Commission of the City of San Marcos, Texas, will hold a public hearing via hybrid, in-person / virtual, meeting at **6:00 p.m. on Tuesday, June 11, 2024** in the City Council Chambers, 630 E. Hopkins to consider the below requests. One may watch the public hearing on Grande channel 16 or by using the following link: [http://sanmarcostx.gov/541/PZ-Video-Archives](http://sanmarcostx.gov/541/PZ-Video-Archives). Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing by computer, mobile device, or phone.

- **PC-23-38 (Replat of the Nash Amended Plat)**  
  Hold a public hearing and consider a request by Steve Ihnen, on behalf of Blanco Trace Development, LLC and CDN/ETN LP, for approval of a Replat of the Nash Subdivision Amended Plat, Lot 1, creating Lots 1A and 2A to be known as the Replat of the Amended Plat of Lot 1 Nash Subdivision and the Subdivision of Lot 2A, consisting of approximately 24.21 acres and located at 3209 N IH 35.

Public Hearings will be a hybrid of in person and virtual meetings. All interested citizens are invited to attend in person but are encouraged to watch or participate in the public hearings by the means described above. If you cannot participate in the public hearings of the Planning and Zoning Commission, but wish to comment, you may write to the below address. All written comments and requests to participate must be received before 12 PM on the day of the meeting.

For Planning & Zoning Commission  
Planning and Development Services  
630 East Hopkins  
San Marcos, TX 78666  
planninginfo@sanmarcostx.gov

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov.
PRELIMINARY SUBDIVISION PLAT, REPLAT OR CONCEPT PLAT APPLICATION

Updated: October, 2018    Case # PC-____-____-____

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant's Name</th>
<th>Property Owner</th>
<th>CDN/ETN, LP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steve Ihnen</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Mailing Address</th>
<th>Owner’s Mailing Address</th>
<th>3209 IH-35 San Marcos, TX 78666</th>
</tr>
</thead>
<tbody>
<tr>
<td>7701 San Felipe, 200 Austin, TX 78729</td>
<td>3209 IH-35 San Marcos, TX 78666</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Phone #</th>
<th>Owner’s Phone #</th>
<th>(512) 753-6443</th>
</tr>
</thead>
<tbody>
<tr>
<td>(512) 454-2400</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant’s Email</th>
<th>Owner’s Email</th>
<th><a href="mailto:chuck@chucknash.com">chuck@chucknash.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:austinpermitting@bleylengineering.com">austinpermitting@bleylengineering.com</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Proposed Subdivision Name: Replat of the Amended Lot 1 Nash Subdivision</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Subject Property Address or General Location: 3209 IH-35</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Acres: 24.21</th>
<th>Tax ID #: R 113483, 119371, &amp; 18743</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Located in: □ City Limits</th>
<th>☐ Extraterritorial Jurisdiction (County)</th>
</tr>
</thead>
</table>

DESCRIPTION OF REQUEST

<table>
<thead>
<tr>
<th>Type of Plat:</th>
<th>Preliminary Subdivision Plat</th>
<th>Replat</th>
<th>Concept Plat</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Proposed Number of Lots: 3</th>
<th>Proposed Land Use: Commerical</th>
</tr>
</thead>
</table>

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee $1,030 plus $100 per acre  Technology Fee $12  MAXIMUM COST $2,512* 
*Maximum Cost does not reflect specific / additional fees, as may be required for other plan review

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/
SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

☐ All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat

☐ I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application

☐ The attached Minor / Amending Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: ___________________________ Date: May 11, 2023
Printed Name: Steve Ihnen, P.E.

WAIVER TO 30-DAY STATUTORY REQUIREMENT

I agree to comply with all platting requirements of the City of San Marcos and understand that the plat will not be administratively approved or forwarded to the Planning and Zoning Commission for consideration unless and until all plat comments are satisfactorily addressed. I understand that the review and approval of a Watershed Protection Plan, Public Improvement Construction Plans and/or other additional documentation may be required to fully address plat comments. I understand that staff will not unreasonably or arbitrarily postpone approval of my plat and voluntarily waive my right to the 30-day statutory requirement that plat applications be acted upon within 30 days of the official filing date.

Signature of Applicant: ___________________________ Date: May 11, 2023
Printed Name: Steve Ihnen, P.E.

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

☐ Two (2) mylars of the subdivision plat (Comal Co. requires White 20# Bond Paper)

☐ Recording Fee: $___________

☐ Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recording requirements:

☐ If public improvements were deferred, Subdivision Improvement Agreement

☐ Subdivision Improvement Agreement recording fee: $___________

☐ Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)

☐ Other recording fee: $___________

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.
Presentation
PC-23-38
Replat of the Nash Amended Plat

Hold a public hearing and consider a request by Steve Ihnen, on behalf of Blanco Trace Development, LLC and CDN/ETN LP, for approval of a Replat of the Nash Subdivision Amended Plat, Lot 1, creating Lots 1A and 2A to be known as the Replat of the Amended Plat of Lot 1 Nash Subdivision and the Subdivision of Lot 2A, consisting of approximately 24.21 acres and located at 3209 N IH 35. (W. Rugeley)
Property Information
Approximately 24 acres

Swaps land with adjacent landowner and creates 1 additional lot
P&Z Approved Replat 10/10/2023

- Remove
- Added
Proposed Replat

- Remove
- Changes
Recommendation

Staff recommends approval of PC-23-38, as presented.
AGENDA CAPTION:
PC-24-15 (Forest Hills Block 1, Lot 7 Replat) Hold a public hearing and consider a request by Ku & Associates, LLC, on behalf of Marsee Build, for approval of a Replat of the Forest Hills Block 1, Lot 7 Subdivision, creating lots 7A and 7B, consisting of approximately 0.298 acres and generally located at 917 West Bluebonnet Drive. (K. Buck)
Meeting date: June 11, 2024

Department: Planning and Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative:
N/A
N/A
N/A

Comprehensive Plan Element(s):
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Core Services
☒ Not Applicable
Master Plan:
Choose an item.

Background Information:
The applicant is requesting to subdivide the property into 2 residential lots.

Council Committee, Board/Commission Action:
N/A

Alternatives:
N/A

Recommendation:
Staff recommends approval of the replat as presented.
**Summary**

Request: Consideration of a final plat with 2 Residential lots

**Applicant:** Dennis Ku
Ku & Associates
POBox 90614
Austin, TX 78709

**Property Owner:** Mark Marsee
Marsee Build
3308 French Place
Austin, TX 78722

**Parkland Required:** N/A

**Utility Capacity:** By Developer

**Accessed from:** Walnut St & W Bluebonnet Dr

**New Street Names:** N/A

**Notification**

**Published:** May 26, 2024

**Personal:** May 24, 2024

**Response:** None as of the date of this report

**Property Description**

**Location:** Southwest corner of W Bluebonnet Dr & Walnut St

**Acreage:** 0.298 acres

**PDD/DA/Other:** N/A

**Existing Zoning:** Single-Family 6 (SF-6)

**Preferred Scenario:** Existing Neighborhood

**Proposed Use:** Single-Family Residential

**CONA Neighborhood:** Forest Hills

**Sector:** 3

**Surrounding Area**

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td>North of Property:</td>
<td>Single-Family 6 (SF-6)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South of Property:</td>
<td>Single-Family 6 (SF-6)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East of Property:</td>
<td>Single-Family 6 (SF-6)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West of Property:</td>
<td>Multi-Family (MF-24)</td>
<td>Multi-Family (Vintage Pads Apartments)</td>
</tr>
</tbody>
</table>

**Staff Recommendation**

<table>
<thead>
<tr>
<th>X</th>
<th>Approval as Submitted</th>
<th>Approval with Conditions / Alternate</th>
<th>Denial</th>
</tr>
</thead>
</table>

**Staff:** Kaitlyn Buck

**Title:** Planner

**Date:** 6/5/2024

**History**

This property was originally platted in 1944 as a single lot. In 1948, the subject property and other properties in the neighborhood were split by a 25-foot-wide alley.

**Additional Analysis**

The applicant is requesting to subdivide the property into 2 residential lots.
### Evaluation Criteria for Approval (Sec.3.2.3.4)

<table>
<thead>
<tr>
<th>Evaluation</th>
<th>Criteria for Approval (Sec.3.2.3.4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistent</td>
<td>If no preliminary subdivision or development plat has been approved the criteria in Section 3.2.2.4 shall apply;</td>
</tr>
<tr>
<td>Inconsistent</td>
<td>The final subdivision plat or final development plat, as applicable, conforms to the approved preliminary subdivision plat or preliminary development plat, except for minor changes authorized under Section 3.2.3.5;</td>
</tr>
<tr>
<td>Neutral</td>
<td>Where public improvements have been installed, the improvements conform to the approved public improvement construction plans and have been approved for acceptance by the Responsible Official;</td>
</tr>
<tr>
<td></td>
<td>Where the Planning and Zoning Commission has authorized public improvements to be deferred, the subdivision improvement agreement and surety have been executed and submitted by the property owner in accordance with Section 3.4.2.1;</td>
</tr>
<tr>
<td>X</td>
<td>The final layout of the subdivision or development meets all standards for adequacy of public facilities in accordance with Section 3.5.1.1; and</td>
</tr>
<tr>
<td>N/A</td>
<td>The plat meets any County standards to be applied under an interlocal agreement between the City and a County under Tex. Loc. Gov’t Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.</td>
</tr>
</tbody>
</table>
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/20/2024

Sam Marcos Planning and Development Services
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Date: 5/20/2024
REPLAT
OF
LOT 7, 4TH REVISED PLAT OF
FOREST HILL & COLLEGE
HEIGHTS ADDITIONS

0.298 ACRE OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 2, HAYS COUNTY, TEXAS.
SUBDIVISION MINOR / AMENDING PLAT, APPLICATION

CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>Dennis Ku</th>
<th>Property Owner</th>
<th>Mark Marsee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>Ku &amp; Associates</td>
<td>Company</td>
<td>Marsee Build</td>
</tr>
<tr>
<td>Applicant’s Mailing Address</td>
<td>PO Box 90614 Austin TX, 78709-0614</td>
<td>Owner’s Mailing Address</td>
<td>3308 French Place Austin TX, 78722</td>
</tr>
<tr>
<td>Applicant’s Phone #</td>
<td>512-779-4290</td>
<td>Owner’s Phone #</td>
<td>512-924-2068</td>
</tr>
<tr>
<td>Applicant’s Email</td>
<td><a href="mailto:Dennis@Ku-associates.com">Dennis@Ku-associates.com</a></td>
<td>Owner’s Email</td>
<td><a href="mailto:marseebuild@gmail.com">marseebuild@gmail.com</a></td>
</tr>
</tbody>
</table>

PROPERTY INFORMATION

Proposed/Current Subdivision Name: Forest Hills Block 1, Lot 7, Vol 151, PG 23
Subject Property Address or General Location: 917 W. Bluebonnet Dr. San Marcos TX, 78666

Acres: .298
Tax ID #: R 27757

Located in: ☐ City Limits   ☐ Extraterritorial Jurisdiction (County)

DESCRIPTION OF REQUEST

Type of Plat: ☐ Minor Subdivision Plat ☐ Amending Plat
Current Number of Lots: 1
Proposed Number of Lots: 2
Current Land Use: C1 - Vacant Residential (SF-6)
Proposed Land Use: A1 - Residential (SF-6)

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee $750 plus $100 per acre Technology Fee $15 MAXIMUM COST $3,015

Submittal of this digital Application shall constitute as acknowledgment authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/
SUBDIVISION IMPROVEMENT AGREEMENT ACKNOWLEDGEMENT

I understand, whenever public improvements to serve the development are deferred until after Final Subdivision or Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two (2) years following the date upon which the Final Plat is approved.

☐ All required public improvements will be completed prior to approval of the Final Subdivision or Development Plat

☐ I wish to defer installation of public improvements until after approval of the Final Subdivision or Development Plat and have attached a Subdivision Improvement Agreement to be considered along with this Plat application

☑ The attached Minor / Amending / Preliminary Plat Application does not require a Subdivision Improvement Agreement

Signature of Applicant: __________________________ Date: 2/1/2024

NOTICE OF COMPLETENESS DETERMINATION & STATUTORY REVIEW TIMEFRAMES

I understand that the City of San Marcos requires online submittal of all applications through the Customer Portal at www.mygovernmentonline.org and that the Responsible Official will review this application for completeness within 10 business days of online submittal. I understand that this application is not considered “filed” until all required documentation is received and reviewed for completeness. Upon determination of completeness the City will send written correspondence stating that the application has been filed and will provide a date, in accordance with the Texas Local Government Code, when the Planning and Zoning Commission will meet to hear the request.

☑ By checking this box I am requesting cursory review of this application prior to determination that the application is complete and filed. Cursory review comments shall not constitute a determination of completeness.

I also understand that as the applicant I may request, in writing, an extension to the statutory review timeframes.

Signature of Applicant: __________________________ Date: 2/1/2024

RECORDATION REQUIREMENTS***

The following are required for recordation, following approval of a Plat application:

☐ Two (2) mylars of the subdivision plat (Comal Co. requires White 20# Bond Paper)

☑ Recording Fee: $745.00

☐ Tax Certificate, printed within 30 days of recordation date (paid prior to January 31st of current year)

Other possible recordings:

☐ If public improvements were deferred, Subdivision Improvement Agreement

☐ Subdivision Improvement Agreement recording fee: $__________

☐ Other legal documents referenced on the plat (i.e. easement dedication by separate instrument, HOA documents)

☐ Other recording fee: $__________

***Recordation fees, mylars, and other requirements are not due at the time of submittal. Fees will depend on the number of pages needed for recordation and the County in which they are recorded. The total will be calculated upon approval.
PROPERTY OWNER AUTHORIZATION

I, Mark Marsee (owner name) on behalf of Marsee Build (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 917 W. Bluebonnet Dr. San Marcos TX 78666 (address).

I hereby authorize Dennis Ku (agent name) on behalf of Ku & Associates (agent company) to file this application for Minor Plat (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: ___________________________ Date: 11/3/2023
Printed Name, Title: Mark Marsee, Owner

Signature of Agent: ___________________________ Date: 2/1/2024
Printed Name, Title: Dennis C. Ku, Principal
PC-24-15
Forest Hills Block 1, Lot 7 Replat

PC-24-15 (Forest Hills Block 1, Lot 7 Replat) Hold a public hearing and consider a request by Ku & Associates, LLC, on behalf of Marsee Build, for approval of a Replat of the Forest Hills Block 1, Lot 7 Subdivision, creating lots 7A and 7B, consisting of approximately 0.298 acres and generally located at 917 West Bluebonnet Drive.
Property Information

Approximately 0.298 acres

2 lots proposed
Plat

Existing Configuration

Proposed Configuration

LOT 7

LOT 8

LOT 7A
0.148 ACRE
(6,448 SQ. FT.)

LOT 7B
0.150 ACRE
(6,514 SQ. FT.)

LOT 8

sanmarcostx.gov
Recommendation

Staff recommends approval of the replat as presented.