Conditional Use Permit CUP-25-62

700 N LBJ Drive Suite 102B Patos The Taco Shop



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Monica Ruiz Xokol, LLC 2101 Montopolis Drive Austin, TX 78741 Property Owner:		Hjorting Family Trust 1006 San Roque Road Santa Barbara, CA 93105
CUP Expiration:	January 14, 2026	Type of CUP:	Beer & Wine
Interior Floor Area:	1,100 sq. ft.	Outdoor Floor Area:	4 Chairs
Parking Required:	10 spaces	Yes - Shared	
Days & Hours of Operation:	Mon – Friday: 11am – 9pn	n Saturday 9am – 9pm	Sunday 9am – 5pm

Posted:	October 24, 2025	Personal:	October 24, 2025
Response:	None as of the date of this report		

Property Description

Troperty Description				
Legal Description:	The Centre at San Marcos, Lot 1			
Location:	The northeast corner of Sessom Drive and North LBJ Drive.			
Acreage:	3 acres PDD/DA/Other: N/A			
Existing Zoning:	Community Commercial	Proposed Zoning:	Same	
Existing Use:	Restaurant	Proposed Use:	Same	
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same	
CONA Neighborhood:	N/A	Sector:	Sector 3	
Utility Capacity:	Adequate	Floodplain:	No	
Historic Designation:	N/A	My Historic SMTX	No	
_		Resources Survey:		

Surrounding Area	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Multifamily - 18	Multifamily Apartments	Neighborhood High
South of Property:	Public Institutional	Texas State University	Commercial Employment/ Medium
East of Property:	Public Institutional	Multifamily Apartments	Neighborhood High
West of Property:	General Commercial	Food Truck Park/ Gas Station/ Multifamily Apartments	Mixed Use Medium

Staff Recommendation

Approval as Submitted	<u>X</u>	Approval with Conditions	Denial
 The permit shall be valid for three (3) years, commencing on January 14, 2026, provided standards are met; 			
The permit shall be posted in the same area and manner as the Certificate of Occupancy.			
Staff: Craig Garrison		Title: Planner	Date: November 5, 2025

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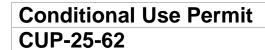
History

Pato's initial Conditional Use Permit approval was on January 14, 2025. The restaurant serves breakfast, lunch and dinner, and serves beer and wine.

Additional Analysis

See Additional Analysis Below.

Police	No Calls Reported
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	No Comment



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Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	···
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted small area plan or neighborhood character study for the area.
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>x</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.
<u>x</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>X</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. No improvements are being proposed as the subject structure is an existing development.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. No visual impacts are expected to cause adverse effects on adjacent properties.
<u>x</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences.
<u>x</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<u>x</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 5.1.5.5