

<b>Conditional Use Permit CUP-25-34</b>	<b>210 Springtown Way Kobe Steak House</b>
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### Summary

<b>Request:</b>	Renewal of a Conditional Use Permit		
<b>Applicant:</b>	Andrew Chen 210 Springtown Way San Marcos, TX 78666	<b>Property Owner:</b>	Joe Bendetti 11701 Bee Cave Rd, Ste 216 Austin, TX 78738
<b>CUP Expiration:</b>	9/25/2019	<b>Type of CUP:</b>	Mixed Beverage
<b>Interior Floor Area:</b>	5,862 sq ft	<b>Outdoor Floor Area:</b>	N/A
<b>Parking Required:</b>	44 spaces	<b>Parking Provided:</b>	Yes
<b>Days &amp; Hours of Operation:</b>	Sunday-Thursday: 11:30am-10pm    Friday & Saturday: 11:30am-11pm		

### Notification

<b>Posted:</b>	7/25/25	<b>Personal:</b>	7/25/25
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Lot 2 in Springtown V Subdivision		
<b>Location:</b>	South side of Springtown Way, approximately 500 feet East of Thorpe Lane		
<b>Acreage:</b>	0.886 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	General Commercial (GC)	<b>Proposed Zoning:</b>	Same
<b>Existing Use:</b>	Restaurant	<b>Proposed Use:</b>	Same
<b>Preferred Scenario:</b>	Mixed Use Medium	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	Millview West	<b>Sector:</b>	7
<b>Utility Capacity:</b>	Adequate	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey:</b>	No

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	General Commercial (GC)	Retail (Office Depot)	Mixed Use Medium
<b>South of Property:</b>	Vertical Mixed Use (VMU)	Retail, Restaurants, Multifamily	Mixed Use Medium
<b>East of Property:</b>	General Commercial (GC)	Restaurant (Saltgrass)	Mixed Use Medium
<b>West of Property:</b>	General Commercial (GC)	Restaurant (McAlister's Deli)	Mixed Use Medium

### Staff Recommendation

<input type="checkbox"/> Approval as Submitted	<input checked="" type="checkbox"/> <b>Approval with Conditions</b>	<input type="checkbox"/> Denial
1. The permit shall be valid for one (1) year, provided standards are met; and 2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.		
<b>Staff:</b> Kaitlyn Buck	<b>Title:</b> Planner	<b>Date:</b> 8/6/25

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<b>CUP-25-34</b>	<b>Kobe Steak House</b>



### History

In February of 2017, Planning and Zoning Commission approved the initial Conditional Use Permit allowing the on-premise consumption of Mixed Beverages at Kobe Steak House, valid for one year and effective upon the issuance of a Certificate of Occupancy. This permit expired on September 25, 2019.

### Compliance

- January 22, 2024 – Planning Staff emailed, mailed, and hand delivered 1<sup>st</sup> Notice Letter.
- March 24, 2025 – Planning Staff emailed, mailed, and hand delivered 2<sup>nd</sup> Notice Letter.
- June 5, 2025 – Code Compliance Staff established contact with Andrew Chen and provided a copy of the CUP application.
- June 6, 2025 – Code Compliance Staff delivered a Notice of Violation in-person to Andrew Chen that the CUP application needed to be submitted.
- June 6, 2025 – CUP renewal application submitted to the City.

### Additional Analysis

See additional analysis below.

### Comments from Other Departments

<b>Police</b>	See Attached Police Report
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment

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Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. <b>The subject property is not located within a neighborhood character study area.</b>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. <b>The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.</b>
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>X</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. <b>No improvements are being proposed as the subject structure is an existing development.</b>
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <b>No visual impacts are expected to cause adverse effects on adjacent properties.</b>
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single family residence located in a zoning district that only permits detached single family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.