

Conditional Use Permit CUP-26-18	210 Springtown Way Kobe Steak House
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Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Andrew Chen 210 Springtown Way San Marcos, TX 78666	Property Owner:	Joe Bendetti 11701 Bee Cave Rd, Ste 216 Austin, TX 78738
CUP Expiration:	February 12, 2026	Type of CUP:	Mixed Beverage
Interior Floor Area:	5,862 sq ft	Outdoor Floor Area:	N/A
Parking Required:	44 spaces	Parking Provided:	Yes
Days & Hours of Operation:	Sunday-Thursday: 11:30am-10pm Friday & Saturday: 11:30am-11pm		

Notification

Posted:	April 10, 2026	Personal:	April 10, 2026
Response:	None as of the date of this report		

Property Description

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

Surrounding Area

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

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	<input type="checkbox"/> Denial
<ol style="list-style-type: none"> The permit shall be valid for three (3) years, and shall expire on February 12, 2029, provided standards are met; No outdoor Amplified Sound, Outdoor Background Sound and/or Acoustic Sound shall be permitted; The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.d); The occupancy is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and The permit shall be posted in the same area and manner as the Certificate of Occupancy. 		
Staff: Kaitlyn Buck	Title: Planner	Date: April 22, 2026

History

2018: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions. This permit expired on September 25, 2019.

2025: Due to an approximate six (6) year lapse since the previous approval expired, the renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for six (6) months with conditions.

Additional Analysis

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

Comments from Other Departments

Police	See Attached Police Report
Fire	No Comment
Public Services	No Comment
Engineering	No Comment
Health/Code Compliance	Establishment is currently in good standing with Env. Health.

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Kobe Steak House**



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. The subject property is not located within a neighborhood character study 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. The proposed use is compatible with and preserves the character and integrity of adjacent developments; no improvements are necessary at this time.
<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 1.5.1.1.