

Conditional Use Permit	110 N. LBJ Drive
CUP-26-32	Valentino's



Summary

Request:	Renewal of a Conditional Use Permit (CUP)		
Applicant:	Cody Taylor 110 N. LBJ Drive San Marcos, TX, 78666	Property Owner:	Mark Shields 510 Hearn St Austin, TX 78701
CUP Expiration:	October 10, 2026	Type of CUP:	CBA Restaurant Mixed Beverage
Interior Floor Area:	+/- 2,977 sq ft	Outdoor Floor Area:	+/- 1,199 sq ft
Parking Required:	0 spaces	Parking Provided:	No
Days & Hours of Operation:	Monday - Wednesday: 11am-12am; Thursday - Sunday: 11am – 3am		

Notification

Posted:	June 5, 2026	Personal:	June 5, 2026
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 8, Lot 1/2 of 7		
Location:	North of the intersection of East San Antonio Street and North LBJ Drive		
Acreage:	0.083 acres	PDD/DA/Other:	N/A
Existing Zoning:	Character District 5 Downtown (CD-5D)	Proposed Zoning:	Same
Existing Use:	Restaurant	Proposed Use:	Same
Preferred Scenario:	Mixed Use Medium	Proposed Designation:	Same
CONA Neighborhood:	Downtown (CBA)	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown District; National Register District	My Historic SMTX Resources Survey:	Yes and Medium Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District 5 Downtown (CD-5D)	Insurance Company	Downtown High Intensity
South of Property:	Character District 5 Downtown (CD-5D)	Vacant Hays County Annex	Downtown High Intensity
East of Property:	Character District 5 Downtown (CD-5D)	Wells Fargo Bank	Downtown High Intensity
West of Property:	Public and Institutional (P)	Hays County Courthouse Square	Downtown High Intensity

Conditional Use Permit	110 N. LBJ Drive
CUP-26-32	Valentino's



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	<input type="checkbox"/> Denial
<ol style="list-style-type: none"> 1. This permit shall be valid for three (3) years, and shall expire October 10, 2029, provided standards are met; 2. The business is responsible for cleaning the area within 100 feet of any exit (LDC Section 5.1.5.5.E.2.D); 3. The number of people occupying the building is required to remain compliant with the fire code, to include ensuring that occupant loads stay at or below posted levels; and 4. This permit shall be posted in the same area and manner as the Certificate of Occupancy. 		
Staff: Craig Garrison	Title: Planner	Date: June 17, 2026

History

Valentino's has held a "Restaurant (Eating Establishment)" Conditional Use Permit (CUP) since 2021. In accordance with the Development Code, a "Restaurant (Eating Establishment)" located within the Central Business Area (CBA) must meet certain standards related to kitchen equipment, meal periods, advertisement, and cleanliness outlined in Section 5.1.5.5.B.4.b.

2022: The business submitted a Restaurant CUP which was approved by the Planning and Zoning Commission for one year, with conditions. Approved with an effective date of July 29, 2022.

2023: The renewal of the Restaurant CUP was approved by the Planning and Zoning Commission for three years with conditions. The CUP was amended to include the outdoor patio (570 sq ft) and a sidewalk café.

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.

Comments from Other Departments

Police	See Attached Police Report
Fire	Comment
Public Services	Comment
Engineering	Comment
Health/Code Compliance	See Attached Report

Conditional Use Permit CUP-26-32	110 N. LBJ Drive Valentino's
---	---



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>X</u>			The proposed use is consistent with any adopted small area plan or neighborhood character study for the area. <i>The proposed business meets goals, such as fostering small businesses, written in the Downtown Area Plan</i>
<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.
		<u>X</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <i>No visual impacts are expected to cause adverse effects on adjacent properties.</i>
<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.