

**PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2022-0357A    **PLANNING COMMISSION DATE:** 3/14/2023

**COUNCIL DISTRICT:** 4

**PROJECT NAME:** Mariscos Tampico Restaurant

**PROPOSED USE:** Restaurant with Late Hours

**ADDRESS OF APPLICATION:** 10601 N Lamar Blvd.

**AREA:** 5,614 square feet, part of 13.6-acre tract

**APPLICANT:** Kate Hunter  
10601 N Lamar Blvd.  
Austin, TX 78753

**AGENT:** Karen Wunsch  
6500 River Place Blvd.  
Austin, TX 78730

**CASE MANAGER:** Clarissa Davis    Telephone: 974-1423  
[Clarissa.Davis@austintexas.gov](mailto:Clarissa.Davis@austintexas.gov)

**EXISTING ZONING:** CS-NP The applicant is requesting a Conditional Use Permit for Late Hours for an existing restaurant within an existing building. Restaurants with Late Hours are a conditional use.

**PROPOSED DEVELOPMENT:**

No construction is proposed with this plan; all uses will take place in existing structures. The restaurant's current hours are Monday-Thursday 11am – 10pm, Friday 11am – 12am, Saturday 11am – 1am, and Sunday 11am-12am. They are requesting to be open until 2 a.m.

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit. The site plan complies with all requirements of the Land Development Code prior to its release.

**PREVIOUS PLANNING COMMISSION ACTION:** N/A

**AREA STUDY:** North Lamar

**WATERSHED:** Little Walnut Creek (Urban)

**APPLICABLE WATERSHED ORDINANCE:** Current/ Comprehensive watershed ordinance

**CAPITOL VIEW:** Not in View Corridor

**T.I.A.:** Not Required

**PROJECT INFORMATION:**

**ZONING:** CS-V-CO-NP; CS-NP,LO-NP  
**MAX. BLDG. COVERAGE:** 95%  
**MAX. IMPERV. CVRG.:** 95%  
**MAX HEIGHT:** 60'  
**REQUIRED PARKING:** 351  
**EXIST. USE:** Restaurant

**RESTAURANT AREA:** 5,614 sq ft  
**EXISTING BLDG. CVRG:** n/a  
**EXISTING IMP. CVRG:** n/a  
**PROPOSED HEIGHT:** n/a  
**PROVIDED PARKING:** 751  
**PROPOSED USE:** Restaurant w/Late Hours

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The applicant is requesting Late Hours for an existing restaurant. There is no construction proposed with this site plan, and it will comply with all requirements of the Land Development Code prior to its release. There are Commercial and single-family uses adjacent to the property. The restaurant shares the building with general retail, Indoor Sports and Recreation, and Auto Repair. Staff recommends approval of the conditional use permit.

**Environmental:** The site is in the Little Walnut Creek watershed, which is an Urban Watershed. There is no increase in impervious coverage and no known Critical Environmental Features are located onsite.

**Transportation:** Current vehicular access is available from North Lamar Blvd.. All parking exists and is provided onsite.

**SURROUNDING CONDITIONS: Zoning/ Land use**

**North:** SF-2-NP (Single-Family)  
**East:** SF-2-NP (Single-Family)  
**South:** CS-V-CO-NP; SF-3-NP (Commercial/Single-Family)  
**West:** CS-NP (Commercial)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
N Lamar Blvd.	100-110'	100'	Level 3

**NEIGHBORHOOD ORGANIZATIONS:**

- Austin Independent School District
- Austin Lost and Found Pets,
- Austin Neighborhoods Council,
- Friends of Austin Neighborhoods,
- Go Austin Vamos Austin - North ,
- Homeless Neighborhood Association,
- Mockingbird Hill Neigh. Assn.,
- Neighborhood Empowerment Foundation,
- North Growth Corridor Alliance,
- North Lamar Neighborhood Association,
- North Lamar/Georgian Acres Neighborhood Team,
- SELTexas, Sierra Club,
- Austin Regional Group

### CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

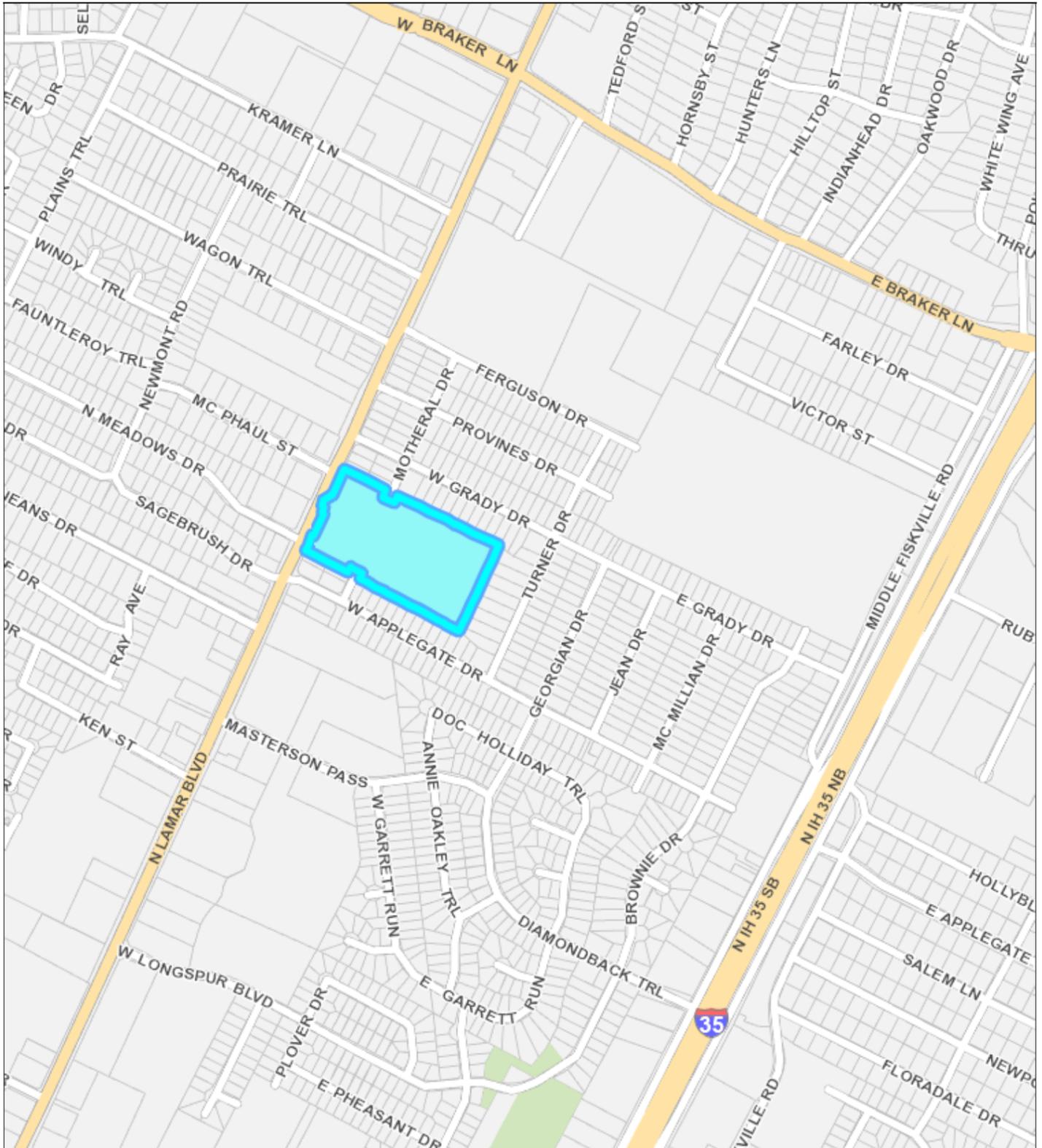
The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

#### **A conditional use site plan must:**

- 1. Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
- 2. Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites.
- 4. Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading has been provided.
- 5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects.
- 6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is not in the East Austin Overlay district.

#### **A Conditional Use Site Plan May Not:**

- 1. More adversely affect an adjoining site than would a permitted use;** Staff response: The use has been in place for many years and is surrounded by office and commercial uses. It will not more adversely impact adjoining sites than would a permitted use.
- 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Safety and convenience of vehicular and pedestrian circulation will not be adversely impacted.
- 3. Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.



1: 9600

10/5/2022

### SPC-2022-0357A

10601 N LAMAR BLVD.



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# MARISCOS TAMPICO RESTAURANT

## COMPATABILITY WAIVER FOR LATE HOURS

### PROJECT DESCRIPTION:

THIS PROJECT CONSISTS OF A LAND USE COMMISSION APPROVAL OF A TEXAS ALCOHOLIC BEVERAGE COMMISSION (TABC) - SANCTIONED LATE HOURS ALCOHOL SALES. THE LOCATION OF THE PROPERTY REQUIRES A CONDITIONAL USE PERMIT PER SECTION 25-2-808 (C), WHICH MAKES A LATE-HOURS PERMIT CONDITIONAL USE BECAUSE OF ARTICLE 10 COMPATIBILITY STANDARDS.

### NOTES:

1. NO CONSTRUCTION IS PERMITTED WITH THIS SITE PLAN.
2. NO NEW AND/OR REDEVELOPED IMPERVIOUS COVER AND NO ALTERATIONS IN DRAINAGE PATTERNS ARE PROPOSED.

### PROJECT INFO

1. ADDRESS: 10601 N Lamar Blvd, Suite A, Austin, Texas 78753
2. COA PROPERTY ID: 252256
3. COA GEOGRAPHIC ID: 0245180406
4. ZONING INFO: CS-NP, CS-V-CO, LO-NP

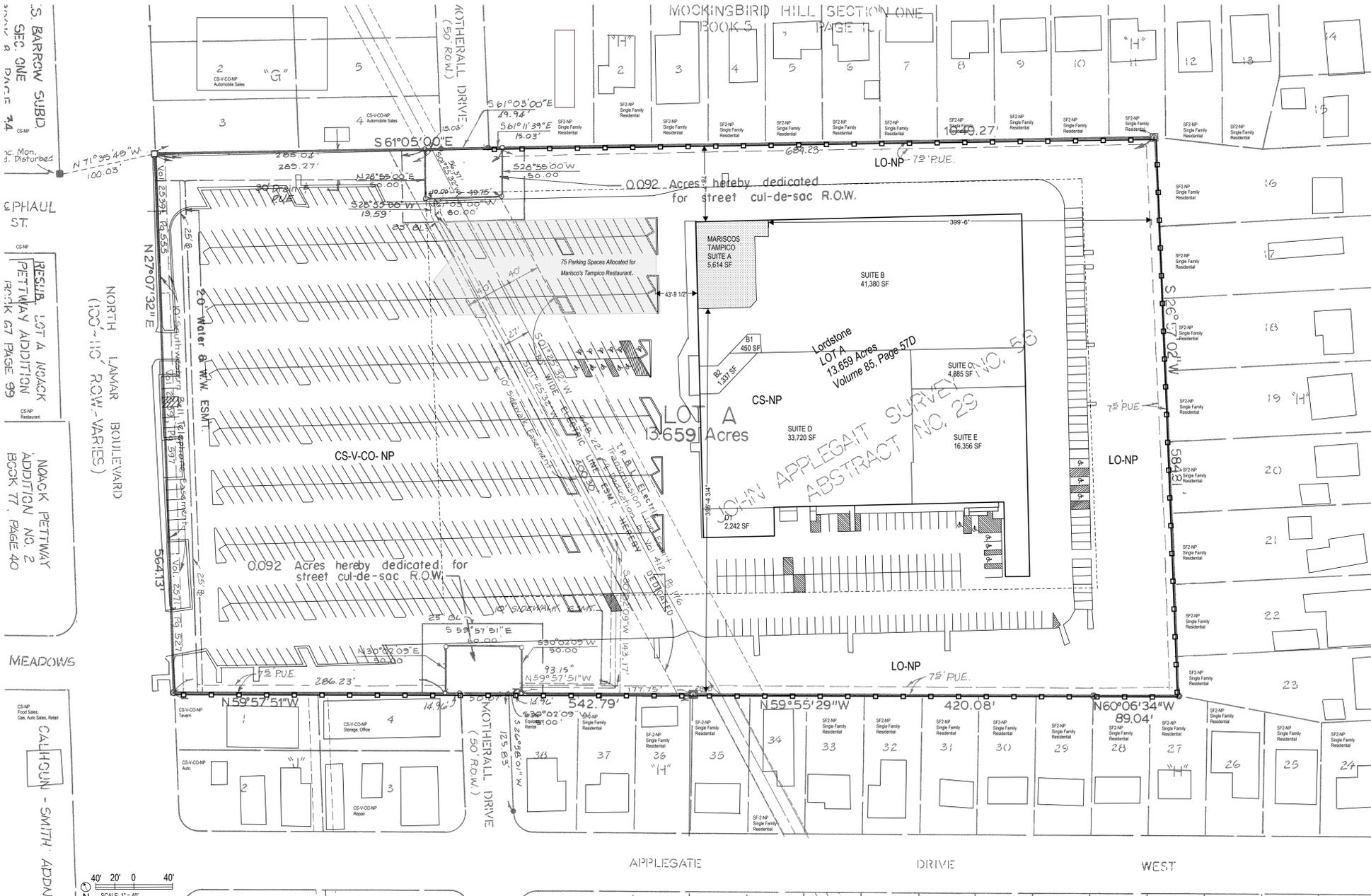
### LEGAL DESCRIPTION

Lot A Lordstone Suite A  
HOURS OF OPERATION  
MONDAY - SUNDAY 9:00 AM - 2:00 AM



Project Location

SCALE: Not to Scale



### LEGEND

- RESTAURANT WITH LATE HOURS
- ZONING BOUNDARY
- 6-FOOT FENCE
- PARKING SPACES ALLOCATED FOR RESTAURANT

CS-NP : GENERAL COMMERCIAL SERVICES - NEIGHBORHOOD PLAN COMBINING DISTRICT  
 CS-V-CO : GENERAL COMMERCIAL SERVICES - VERTICAL MIXED USE - CONDITIONAL OVERLAY COMBINING DISTRICT  
 LO-NP : LIMITED OFFICE - NEIGHBORHOOD PLAN COMBINING DISTRICT

Parking Summary Table						
Suite	Tenant	Square Footage	Use	Parking Ratio	Parking Required	Parking Provided
A	Marisco's Tampico	5,614	Restaurant	1/75 sf	75	
B	Market Place Austin	41,380	General Retail	1/275 sf	151	
B1	Market Place Austin	450	General Retail	1/275 sf	2	
B2	Latina Formal Wear	1,337	General Retail	1/275 sf	5	
C	Mi Familia Furniture and Mattress	4,885	Furniture Store	1/500 sf	10	
D	Jump Party USA	33,720	Indoor Sports & Recreation	1/500 sf	67	
D1	Shift	2,242	Auto Repair	1/275 sf	8	
E	Bingo Hall	16,356	Indoor Sports & Recreation	1/500 sf	33	
Total		105,984			351	751

SITE PLAN APPROVAL SHEET 1 OF 1  
 FILE NUMBER **SPC-2022-0357A** APPLICATION DATE **August 9, 2022**  
 APPROVED BY COMMISSION ON \_\_\_\_\_ UNDER SECTION **112** OF  
 CHAPTER **25-5** OF THE CITY OF AUSTIN CODE.  
 EXPIRATION DATE: (25-5-81, IDC)  
 CASE MANAGER: **Clarissa E. Davis**  
 PROJECT EXPIRATION DATE: (ORD#970905-A) \_\_\_\_\_ DWP2 \_\_\_\_\_ DDZ \_\_\_\_\_

Director, Planning and Development Review  
 RELEASED FOR GENERAL COMPLIANCE \_\_\_\_\_ ZONING **CS-NP**  
 Rev.1 \_\_\_\_\_ Correction \_\_\_\_\_  
 Rev.2 \_\_\_\_\_ Correction \_\_\_\_\_  
 Rev.3 \_\_\_\_\_ Correction \_\_\_\_\_

Final plat must be recorded by the Project Expiration Date, if applicable.  
 Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

### PROJECT

## MARISCOS TAMPICO RESTAURANT

COMPATIBILITY WAIVER FOR LATE HOURS

10601 N LAMAR BLVD  
SUITE A, AUSTIN, TX 78753

Case Number: SPC-2022-0357A  
Submission Date: August 9th, 2022

Watershed: Little Walnut Creek  
Watershed Class: Urban Watersheds

### PROJECT TEAM:

#### OWNER:

Kevin Hunter  
10601 N Lamar  
Austin, Texas 78753

#### TENANT:

Martins Mariscos Tampico  
10601 N. Lamar  
Suite A  
Austin, TX 78753

### LAND USE CONSULTANTS:

Masterplan  
6500 River Place Boulevard  
Building 7, Suite 250  
Austin, TX 78730  
Contact: Karen Wunsch  
Tel: (512) 524-9745

SHEET NUMBER

1 of 1