



MEETING DATE: August 14, 2023

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Discussion and action to consider whether or not to revoke or not to revoke the Conditional Use Permit for a Social Club/Night Club – Blackout Private Social Club, 1512 E. Expressway 83, Suite 109, being Lot 109, Re-Plat of Lots 3 & 4, Stewart Plaza Subdivision, C-3, Yair Cruz, - De Luna

NATURE OF REQUEST:

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider whether or not to revoke the Conditional Use Permit for a Social Club/Night Club – Blackout Private Social Club at 1512 E. Expressway 83, Suite 109.

On April 24, 2023, the City of Mission held public hearings wherein the conditional use permit for a Social Club/Night Club – Blackout Private Social Club would be allowed or not. It was conditionally approved based on the information provided, the testimony given at the hearings, and as predominately shown on Ordinance No. 5304.

Since that time, Staff, Management, and the Police Department have received several complaints of the business being operating past 2:00 a.m. We have called this to the attention of Mr. Yair via mail and in person and evidently, the violation still continued.

Staff has consulted with Management and our City Attorney on this item since it isn't Planning's objective to 'shut down businesses' but to follow the City Ordinance approved by the City Council.

There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION: Approval

Departmental Approval: N/A

Advisory Board Recommendation: P&Z Approval

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____