

# AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE:April 16, 2025PRESENTED BY:Xavier Cervantes, Director of PlanningAGENDA ITEM:Public hearing and take action to consider a Conditional Use Permit for a Drive-<br/>Thru Service Window – Chipotle restaurant, being Lot 6, North Sharyland<br/>Commons Subdivision in a C-3 zone General Business District, located at 100 N.<br/>Shary Road. Applicant: Kimco Chipotle

### NATURE OF REQUEST:

### Project Timeline:

- <u>March 28, 2025</u> Application for Conditional Use Permit ("CUP") submitted to the City. (ATTACHMENT I)
- <u>March 28, 2025</u> In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- <u>April 16, 2025</u> Public hearing and consideration of requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- <u>April 28, 2025</u> Public hearing and consideration of the requested conditional use permit by the City Council.

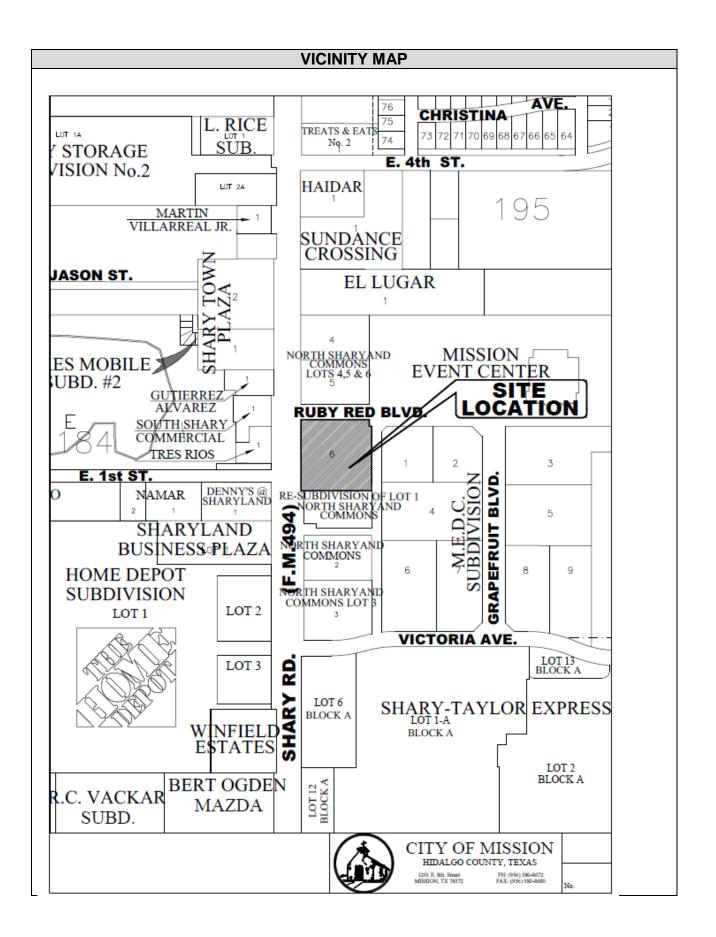
### Summary:

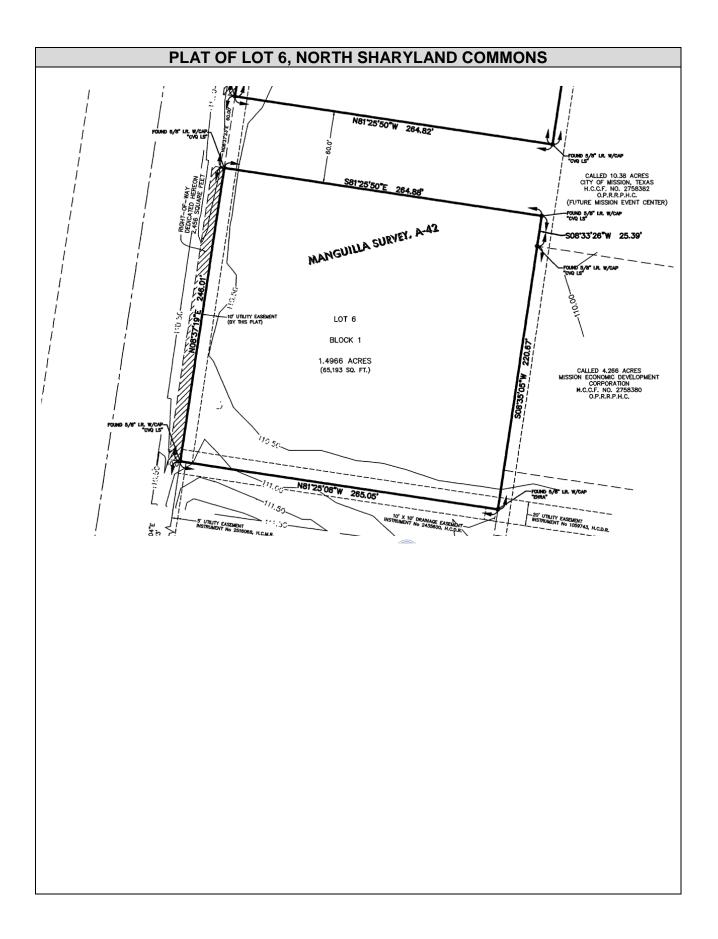
- The site is located at the Southeast corner on N. Shary Road and Ruby Red Blvd.
- The site will include a drive thru service window on the north side of the building. Access to the drive thru service window would be off two (2) points. One access is off Ruby Red Boulevard. via a 24foot wide driveway. The second access is off a service road via a 24foot wide driveway. They would place the order on the east side of the building and pick up the orders on the north side. The customers will drive-thru window location allows stacking for approximately 7 vehicles.
- Pursuant to Section 1.43 (3)(C) of the City of Mission Code of Ordinances, a Drive-Thru Service Window requires the approval of a conditional use permit by the City Council.
- The proposed hours of operation are as follows: Sunday Saturday from 10:45am to 11:00pm.
- The working staff will be 20 to 30 employees in different shifts
- Parking: In reviewing the floor plan, there is a total of 19 tables with a total of 54 seating spaces proposed, which would require 18 parking spaces. (1 parking space for every 3 seats = 18 parking spaces). The site plan shows a total of 36 parking spaces provided.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (24) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties. (ATTACHMENTS IV-VI)

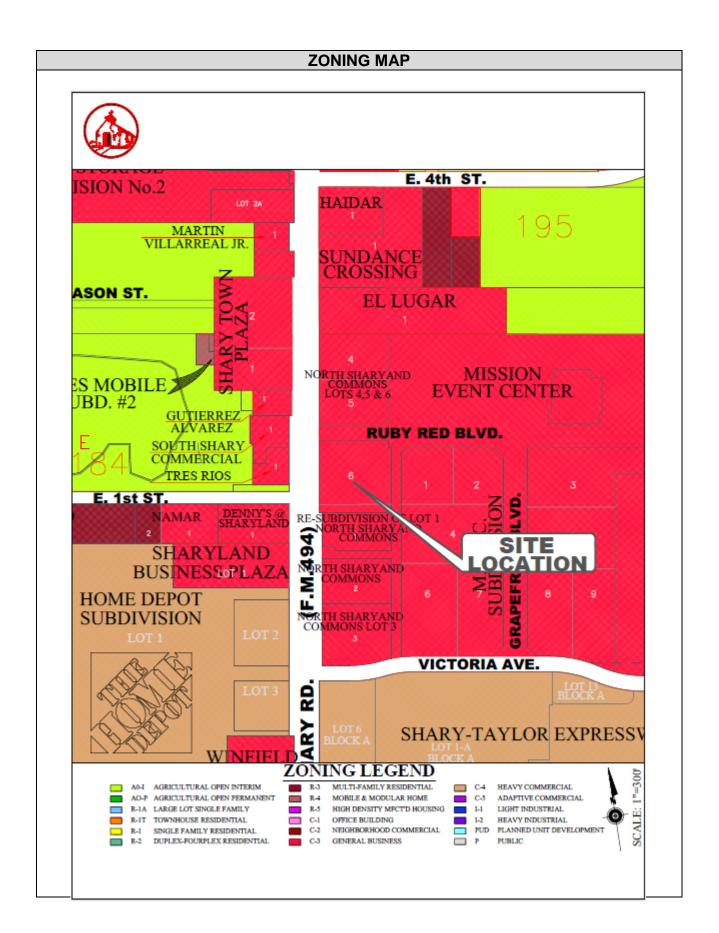
### **STAFF RECOMMENDATION:**

- Staff recommends Approval for Life of Use subject to:
  Must comply with all City Codes (Building, Fire, Health, etc.),
  Installation of a speed bump at the end of the ordering window,
  Acquisition of a business license prior to occupancy, and
  CUP not be transferable to others

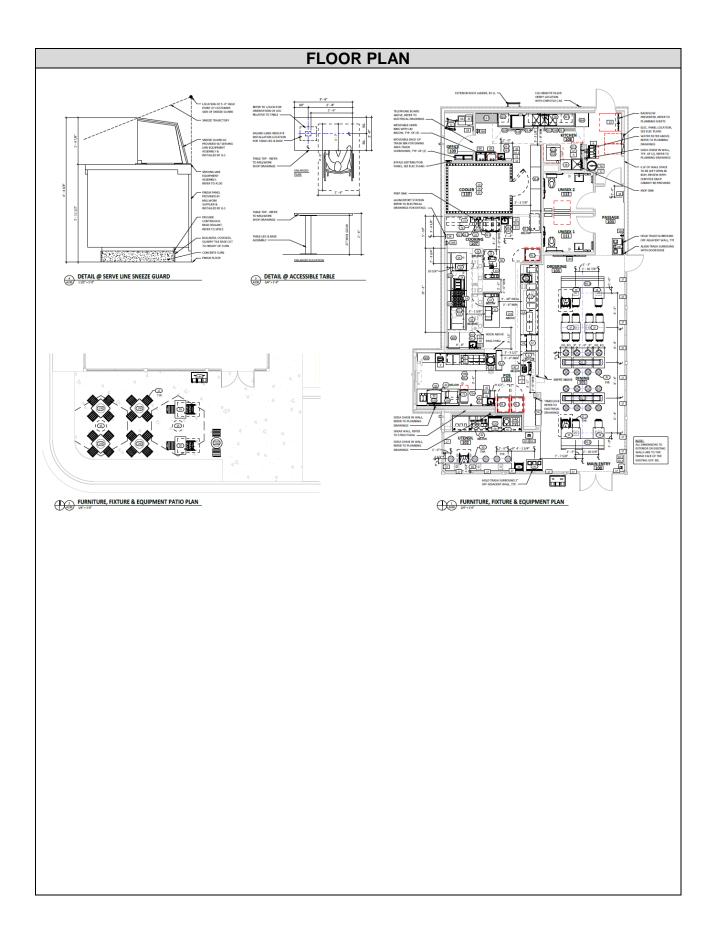
RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:	
AYES		
NAYS		
DISSENTING		

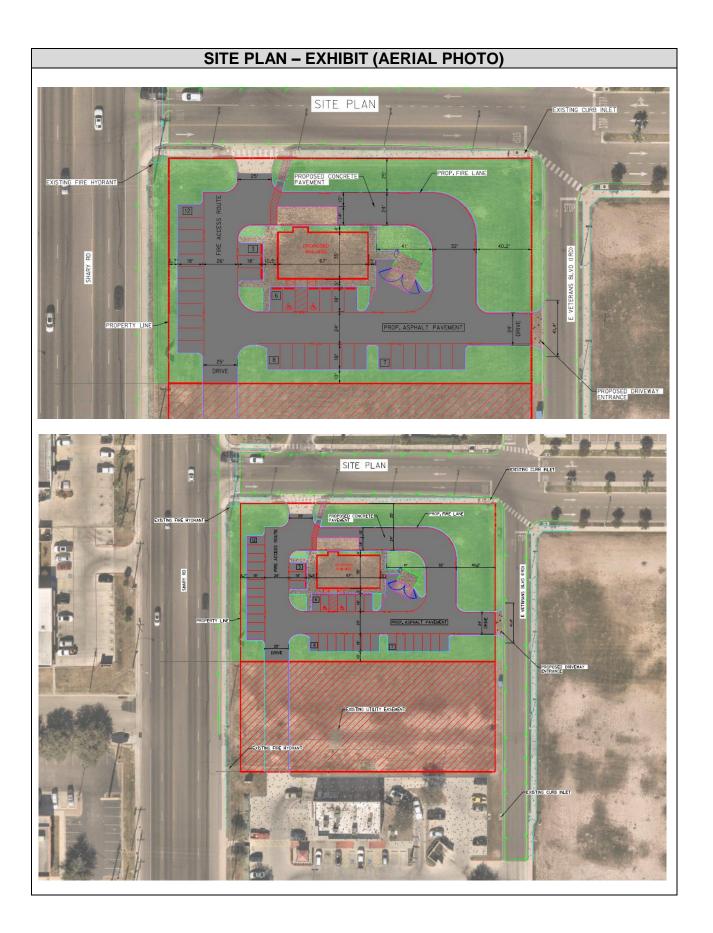








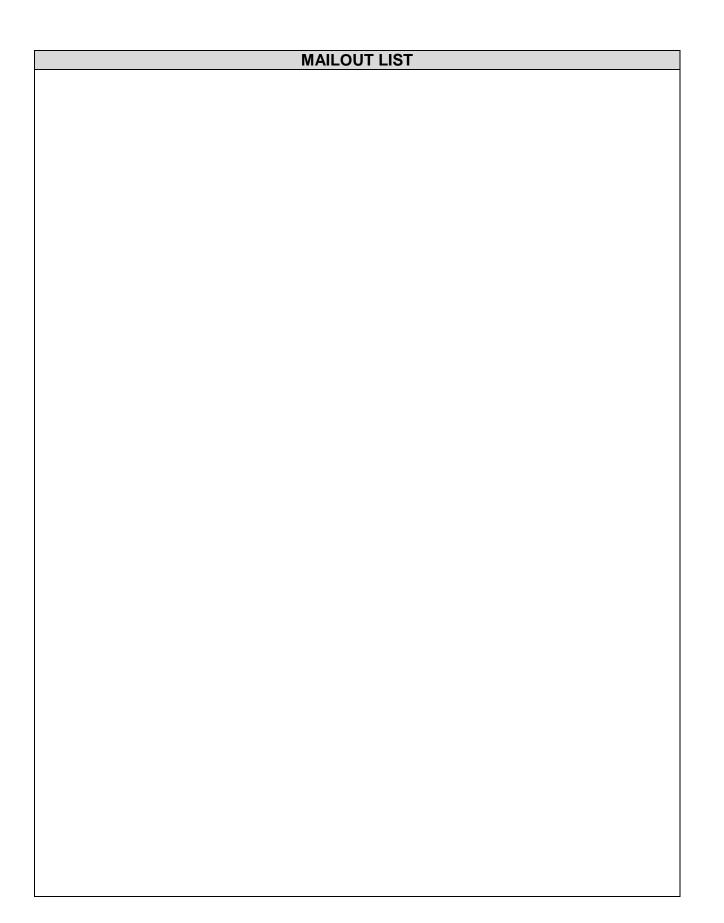






# STAFF RECOMMENDATION

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# ORDINANCE NO.

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW – CHIPOTLE RESTAURANT, BEING LOT 6, NORTH SHARYLAND COMMONS SUBDIVISION

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of April 16, 2025, the Planning and Zoning Commission of the City of Mission upon duly recognized motion and second, voted to recommend to the City Council that the conditional use permit shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, April 28, 2025, in the Council Chambers of the City Hall to consider the following conditional use permit:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT THE FOLLOWING CONDITIONAL USE PERMIT BE GRANTED:

#### Legal Description

Being Lot 6, North Sharyland Commons Subdivision **Type** Drive – Thru Service Window

### **Conditions of Approval**

- Staff recommends Approval for Life of Use subject to:
- Must comply with all City Codes (Building, Fire, Health, etc.),
- Installation of a speed bump at the end of the ordering window,
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READ, CONSIDERED AND PASSED, this the 28<sup>th</sup> day of April, 2025.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary