



**MEETING DATE:** August 11, 2026

**PRESENTED BY:** Xavier Cervantes, AICP, CPM, Director of Planning

**AGENDA ITEM:** Conduct a public hearing and consideration of a Conditional Use Permit Renewal for a Bar and for the Sale & On-Site Consumption of Alcoholic Beverages – The Ice House, LLC in a property zoned (C-3) General Business District, being the South 109.5 feet of Lot 2, Block 137, Mission Original Townsite Subdivision and all of Lot 52, John H. Shary Industrial Subdivision, located at 815 N. Francisco Avenue. Applicant: Lane Rangel, Adoption of Ordinance # \_\_\_\_\_ - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- May 26, 2026 – Application for a Conditional Use Permit (“CUP”) submitted to the City.
- June 19, 2026 – Following State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- July 15, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- August 11, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the City Council.

Summary:

- The subject site is located at the Northwest corner of Francisco Avenue and E. 8<sup>th</sup> Street.
- Per the Code of Ordinance a bar, cocktail lounges and taverns require the approval of a Conditional Use Permit by the City Council.
- The hours of operation are as follows: Monday thru Saturday from 10:00 a.m. to 12 a.m. and Sundays from 12:00 p.m. to 12:00 a.m.
- During the last renewal of the Conditional Use Permit on October 28, 2025, the City Council placed a condition to allow live music outside on Fridays and Saturdays only from 12:00 p.m. to 9:00 p.m.
- Regarding the live music the applicant is requesting to be approved for Monday thru Friday from 2 p.m. to 7 p.m. instead of Fridays and Saturdays only from 12:00 p.m. to 9:00 p.m.
- Staff: 3 employees
- Parking: During the October 28, 2025 City Council meeting the City Council imposed a condition that the applicant must provide additional parking during the permit’s renewal. The applicant has reached out to the owner of the vacant property to the North, but the owner is not willing to lease a portion of his property for parking.
- Such uses require that no alcoholic beverages be sold within 300’ of a residence, church, public schools, private school or public hospital.

- There is a residential subdivision within 300 feet, therefore, a waiver of the separation requirement would need to be approved.
- The Police reports from March 7, 2025 until present indicate one public assistance, one suspicious circumstance, two (2) improperly parked vehicle, three (3) abandoned vehicle, and two (2) loud noise calls.
- The Police Chief has no objections to the permit renewal for one year.
- In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval to ensure that a use requested by a Conditional Use Permit is compatible and complementary to adjacent properties.
- During the Planning and Zoning Commission public hearing there was opposition from two (2) surrounding property owners with concerns about noise and parking.
- Even though P&Z recommended denial, a super majority vote of the City Council is not required based on H.B. 24(2025) becoming state law.

### STAFF RECOMMENDATION:

Staff recommends approval with the conditions below:

1. Permit for one (1) year to continue to assess this business.
2. Continued compliance with all City Codes (Building, Fire, Health, etc.)
3. Waiver of the 300' separation requirement from the residential homes.
4. Continued compliance with TABC requirements.
5. CUP is not transferable to others.
6. Must have security cameras inside and outside with a minimum 30-day retention.
7. Must comply with the noise ordinance.
8. Maximum occupancy will be 150 people before 8:00 p.m. and 60 people after 8:00 p.m.
9. Must have a minimum of one (1) Level II licensed security officer from 8:00 p.m. to 12:00 a.m. or as required in Section 1.56, Subsection 3 of the Code of Ordinances
10. Hours of operation: Monday thru Saturday from 10:00 a.m. to 12 a.m. and Sundays from 12 p.m. to 12:00 a.m.
11. Live music allowed outside only on Fridays and Saturdays from 12:00 p.m. to 9:00 p.m.
12. Must continue to use the acquired decibel reader to monitor for excessive noise

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**Departmental Approval:** Approval

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**Advisory Board Recommendation:** Denial

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**City Manager's Recommendation:** Approval *JP7*

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**RECORD OF VOTE:**

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| <b>APPROVED:</b>    | _____ |
| <b>DISAPPROVED:</b> | _____ |
| <b>TABLED:</b>      | _____ |

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

\_\_\_\_\_ DISSENTING \_\_\_\_\_