



MEETING DATE: June 23, 2025

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

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit to allow a Mobile Food Unit – Tony’s Hot Dogs & More in a property zoned General Business District (“C-3”), being the South 3.86 acres out of Lot 22, New Caledonia Subdivision, located at 2120 West Mile 3 Road. Applicant: Andres Antonio Cruz Torres, Adoption of Ordinance #_____ - Cervantes

NATURE OF REQUEST:

Project Timeline:

- May 19, 2025 – Application for a conditional use permit submitted for processing.
- June 4, 2025 – In accordance with State and local law notice of the required public hearings was mailed to all the property owners within a 200’ radius of the subject tract and notice of hearings was published in the Progress Times.
- June 18, 2025 – Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission.
- June 23, 2025 – Public hearing and consideration of the requested rezoning ordinance by the City Council.

Summary:

- The applicant is requesting a new conditional use permit to operate a mobile food unit at the subject located at the Northeast corner of Moorefield and West 3 Mile Roads. The applicant is leasing a space from the Pejuente Tire Center for the proposed operation.
- Per the Code of Ordinance, a mobile food unit requires the approval of a conditional use permit by the City Council.
- The applicant had a mobile food unit in operation since December of 2011. The city annexed the property on January 14, 2013. The applicant stopped the operation of the food sales on May 11, 2025 due to a traffic accident that damaged the unit.
- The applicant desires to resume the operations and use the restrooms of the Tire Center for the customers.
- The location follows the city’s new distance regulations ordinance for mobile food units. The nearest mobile food unit is at 1900 W. Griffin Parkway (10,704 feet away) and at 3314 N. Conway (11,101 feet away).
- The proposed hours of operation are Tuesday to Saturday from 7:00 p.m. to 1:00 a.m.
- Staff: 3 employees
- Parking: The applicant is proposing to have four (4) tables with four (4) chairs each for a total of 16 seating spaces. He will be required to have 5 parking spaces (1 parking space for every 3 seats = 5.3).
- The Planning staff has not received any objections to the request from the surrounding property owners.
- Notices were mailed to 18 surrounding property owners.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit request subject to compliance with the following conditions:

- Permit for one year to re-evaluate this new operation
- Must comply with all City codes (Building, Fire, Health, and Sign, etc.)
- Must install landscaping prior to obtaining the business license
- Restrooms must be accessible to the employees and patrons at all times
- Acquisition of a business license is required prior to any food sales
- Must provide a minimum of 5 parking spaces at all times.
- Hours of operation are Tuesday to Saturday from 7:00 p.m. to 1:00 a.m.
- The conditional use permit is not transferable to others

Departmental Approval: Approval

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *MRP*

RECORD OF VOTE:	APPROVED:	_____
	DISAPPROVED:	_____
	TABLED:	_____

_____ AYES

_____ NAYS

_____ DISSENTING _____