



MEETING DATE: May 26, 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 the Sale & On-Site Consumption of Alcoholic Beverages – Han's Katsuya Restaurant in a property zoned (C-3) General Business (C-3) District, being Lot 1, Esdras Vega Subdivision, located at 600 N. Shary Road, Ste. D Applicant: The BAB, LLC, c/o Junduck Han, Adoption of Ordinance #_____ – Cervantes

NATURE OF REQUEST:

Project Timeline:

- April 14, 2026 – Application for a Conditional Use Permit (“CUP”) submitted to the City.
- April 23, 2026 – Following State and local law, notice of the required public hearings was mailed to all property owners within 200 feet of the subject tract.
- May 6, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- May 26, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the City Council.

Summary:

- The subject site is located at the northeast corner of Shary Road and 6th Street.
- Per the Code of Ordinance, the Sale & On-Site Consumption of Alcoholic Beverages requires the approval of a Conditional Use Permit by the City Council.
- The applicant is leasing a 1,488 square foot suite within a commercial plaza for a Japanese Cuisine Restaurant.
- Access to the site is off East 6th Street, through an existing 24-foot driveway.
- This business has been in operation since May 2018, and the applicant would like to continue to offer alcoholic beverages with their meals.
- The business license was obtained on May 8, 2018.
- The last conditional use permit approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was approved by City Council on June 21, 2022, for a period of 4 years.
- The hours of operation are as follows: Monday – Friday from 11:00 a.m. to 2:00 p.m. & 5:30 p.m. to 9:00 p.m., and Saturday from 12:00 p.m. to 3:00 p.m., Closed Sundays
- Staff: 4 employees
- Parking: There are a total of 26 seating spaces available, which require 9 parking spaces (26 seating spaces/3 = 8.6 parking spaces). It is noted that parking is held in common; there are 56 parking spaces that are shared with the other businesses within the commercial plaza.
- Sale of Alcohol: Section 1.56(3)(a) of the Zoning Code requires a minimum separation of 300' from the property line of any church, school, publicly owned property, or residence. There is a residential subdivision within 300 feet; however, P&Z and City Council have waived this separation requirement in previous conditional use permits.

- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (20) legal notices to the surrounding property owners.
- Staff notes that there have been no incidents reported to the Police Department.
- 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.

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit renewal with the conditions listed below:

1. Life of Use, with the understanding that the conditional use permit can be revoked due to non-compliance.
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. Hours of operation: Monday – Friday from 11:00 a.m. to 2:00 p.m. & 5:30 p.m. to 9:00 p.m., and Saturday from 12:00 p.m. to 3:00 p.m. Closed on Sundays

Departmental Approval: N/A

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *JP7*

RECORD OF VOTE:

APPROVED:	_____
DISAPPROVED:	_____
TABLED:	_____

_____ AYES

_____ NAYS

_____ DISSENTING _____