



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 for a Restaurant in a Property Zoned (C-2) Neighborhood Commercial District - Vex Kitchen, being Lots 88 & 89, Mayberry Plaza UT No. 3, located at 800 E. 1st Street, Applicant: VEX Kitchen, LLC, c/o Victor Gutierrez, 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 at the southeast corner of Mayberry Road and E. 1st Street within a small commercial plaza.
- Per the Code of Ordinance, a Restaurant in a C-2 zone requires the approval of a Conditional Use Permit by the City Council.
- The applicant is proposing to open a Mexican Restaurant.
- Access to the site is off Mayberry and East 1st Street, through an existing 24-foot driveways.
- The last conditional use permit approved by City Council for a Restaurant at this location was on July 8, 2024 for a period of 1 year.
- The hours of operation are as follows: Monday – Sunday from 7:00 a.m. to 11:00 p.m.
- Staff: 7 employees per shift
- Parking: There are a total of 64 seating spaces proposed, which require 21 parking spaces ($64 \text{ seating spaces} / 3 = 21.3 \text{ parking spaces}$). It is noted that parking is held in common; there are 17 parking spaces that are shared with the other business within the commercial plaza.
- The applicant will need to reduce the number of seating spaces by 13 in order to comply with the parking requirements.
- The applicant will need to comply with the landscaping requirements.
- 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 with the conditions listed below:

1. 2 year revaluation in order to continue to assess this new operation.
2. Must comply with all City Codes (Building, Fire, Health, etc.).
3. Acquire a business license prior to occupancy.
4. CUP not to be transferable to others.
5. Hours of operation: Monday – Sunday from 7:00 a.m. to 11:00 p.m.

Departmental Approval: N/A

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *JP7*

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

_____ AYES

_____ NAYS

_____ DISSENTING _____