



**MEETING DATE:** August 20, 2025

**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 Drive-Thru Service Window – Dak's Snacks in a (C-2) Neighborhood Commercial District, being Lot 1, Sylvia Plaza Subdivision, located at 810 N. Schuerbach Road, Suite D, Applicant: Cristina Salazar - Cervantes

---

**NATURE OF REQUEST:**

Project Timeline:

- July 30, 2025 – Application for Conditional Use Permit ("CUP") submitted to the City for processing.
- August 8, 2025 – In accordance with State and local law, notice of required public hearings was mailed to all property owners within 200 feet of the subject tract, and notice of public hearings was published in the Progress Times.
- August 20, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- August 25, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The subject site is located at the southeast corner of Schuerbach Road and Business 83.
- Per Code of Ordinance, Drive-Thru Service Windows require the approval of a Conditional Use Permit by the City Council.
- There is an existing 24' x 35' (840 sq. ft.) snack shop with a drive-thru service window that has been in existence since July 2021. Access to the site is provided off Schuerbach Road with a 45' driveway. The service window is located approximately 15' from the corner of the building, which provides stacking for approximately two vehicles.
- The proposed days and hours of operation are Monday–Sunday from 11:00 am to 11:00 pm
- Staff: 2 employees
- Parking: the 840 sq. ft. site requires 5 parking spaces. It is noted that the parking area is held in common (35 existing parking spaces, inclusive of gas pump stalls) and is shared with other businesses.
- The last conditional use permit approved for the drive-thru service window for this location was on September 26, 2022 for a period of 2 years. Staff notes that this would be the 3<sup>rd</sup> renewal.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (9) 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 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 request subject to compliance with the following conditions:

1. Life of use with the understanding that the permit can be revoked due to noncompliance.
2. Continued compliance with all City Codes (Building, Fire, Health, Sign codes, etc.).
3. CUP is not transferable to others
4. Hours of operation to be as follows: Monday – Sunday from 11:00 am to 11:00 pm

---

**RECORD OF VOTE:**

**APPROVED:** \_\_\_\_\_

**DISAPPROVED:** \_\_\_\_\_

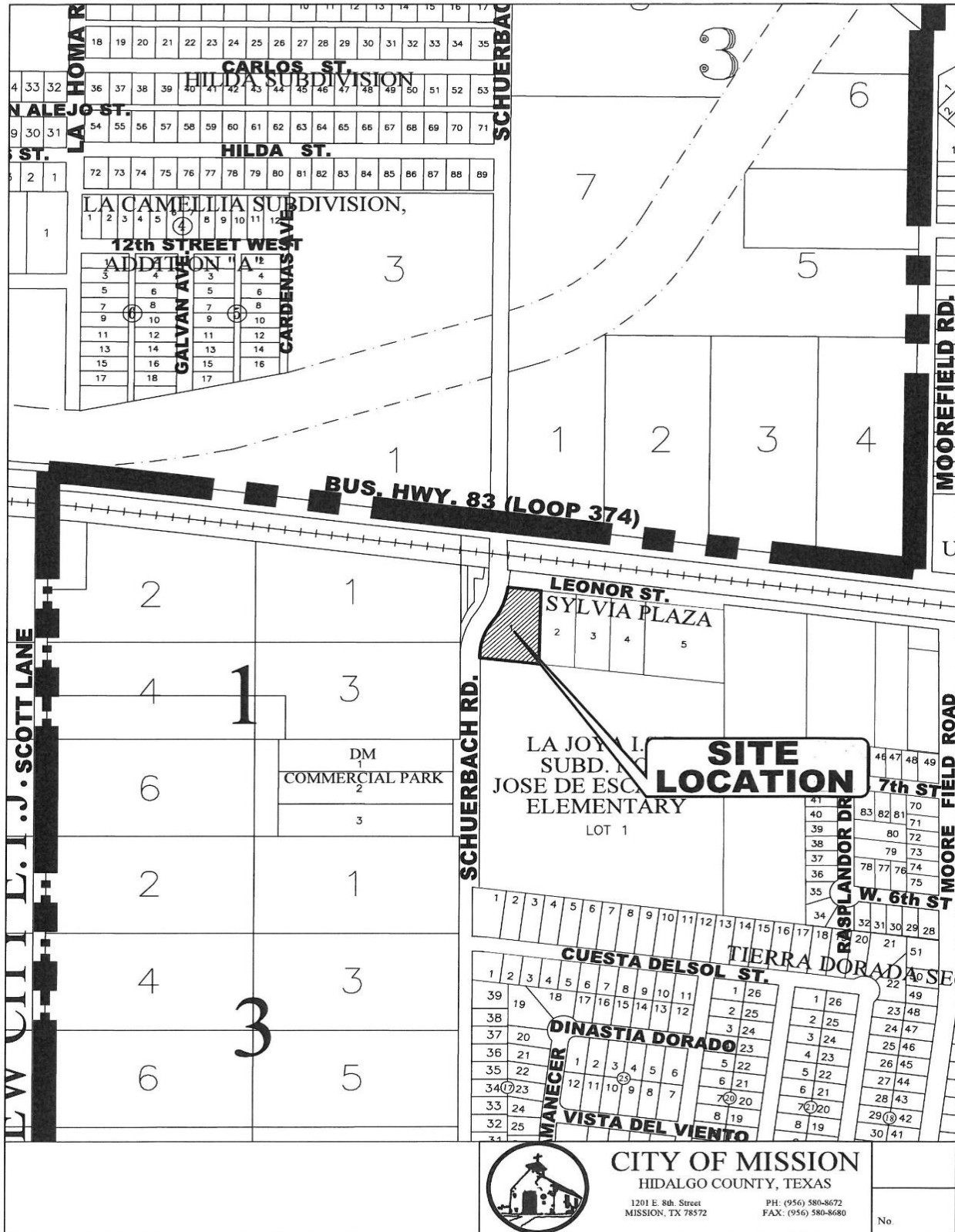
**TABLED:** \_\_\_\_\_

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

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

# VICINITY MAP



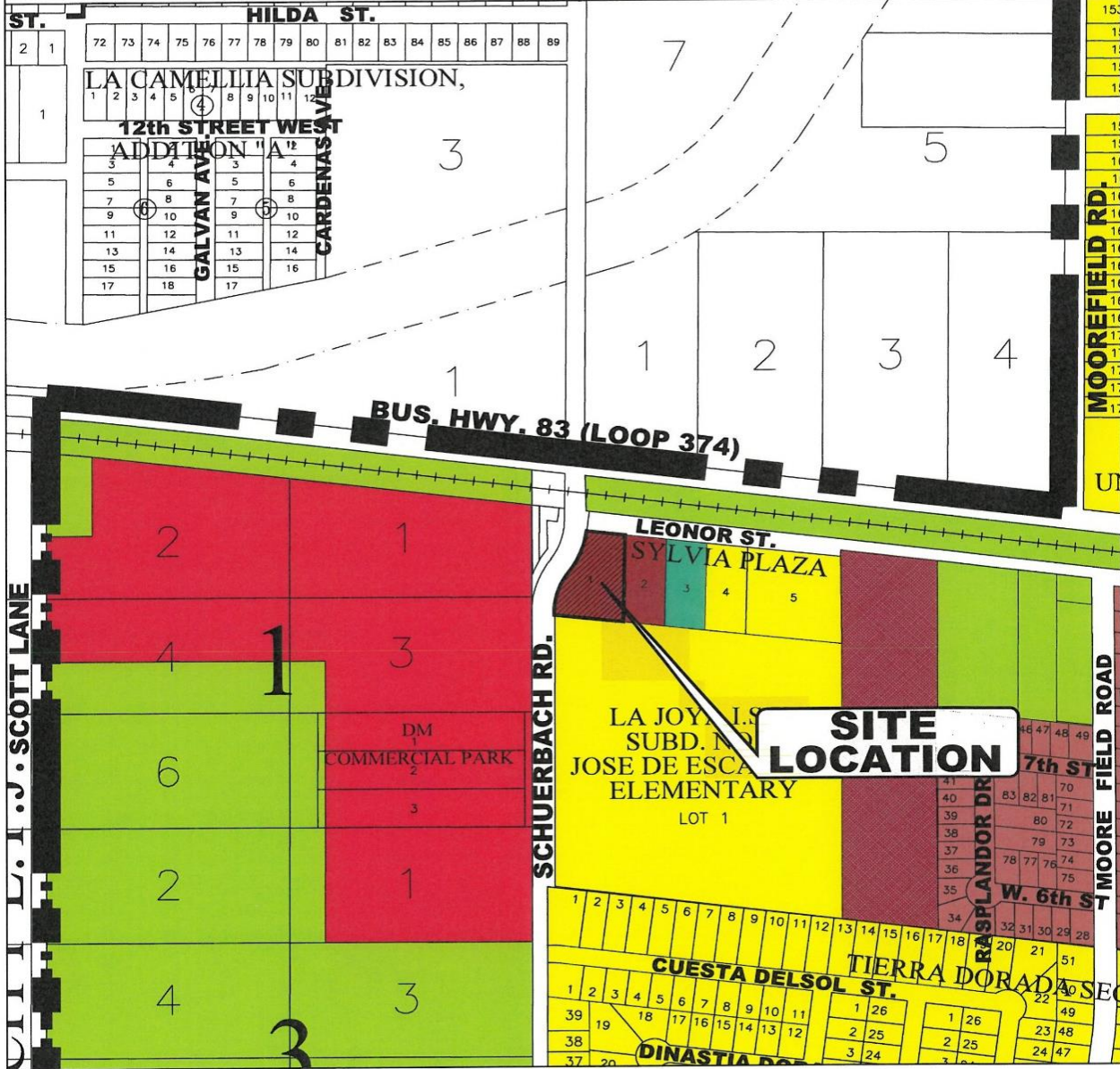


# ARIEL MAP





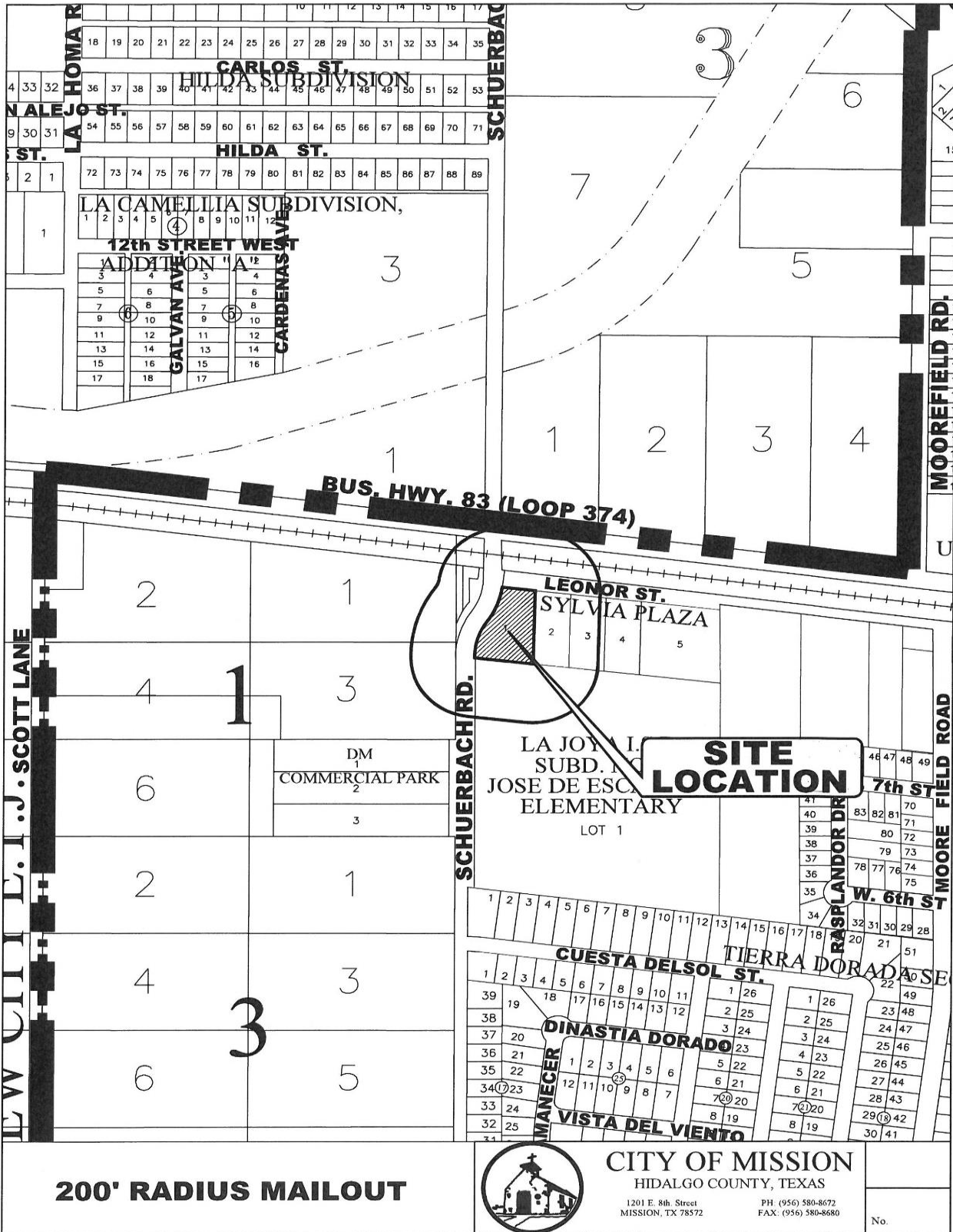
# ZONING MAP



## ZONING LEGEND

	A0-I AGRICULTURAL OPEN INTERIM		R-3 MULTI-FAMILY RESIDENTIAL		C-4 HEAVY COMMERCIAL
	AO-P AGRICULTURAL OPEN PERMANENT		R-4 MOBILE & MODULAR HOME		C-5 ADAPTIVE COMMERCIAL
	R-1A LARGE LOT SINGLE FAMILY		R-5 HIGH DENSITY MFCT'D HOUSING		I-1 LIGHT INDUSTRIAL
	R-1T TOWNHOUSE RESIDENTIAL		C-1 OFFICE BUILDING		I-2 HEAVY INDUSTRIAL
	R-1 SINGLE FAMILY RESIDENTIAL		C-2 NEIGHBORHOOD COMMERCIAL		PUD PLANNED UNIT DEVELOPMENT
	R-2 DUPLEX-FOURPLEX RESIDENTIAL		C-3 GENERAL BUSINESS		P PUBLIC

# ATTACHMENTS





## ATTACHMENTS



## ATTACHMENTS





## MAILOUT LIST

PROP_ID	geolD	name	addrDelive	addrCity	addrState	addrZip
705850	L1186-09-000-0001-00	LA JOYA IND SCH DIST	PO BOX J	LA JOYA	TX	78560-0136
705853	S7910-00-000-0003-00	RODRIGUEZ RODRIGO & SYLVIA	2805 LEONOR ST	MISSION	TX	78572-9429
705852	S7910-00-000-0002-00	RODRIGUEZ RODRIGO & SYLVIA	2805 LEONOR ST	MISSION	TX	78572-9429
705851	S7910-00-000-0001-00	RODRIGUEZ RODRIGO & SYLVIA	2805 LEONOR ST	MISSION	TX	78572-9429
860518	10052-00-000-0000-10	RODRIGUEZ JUAN RODRIGO	2805 LEONOR ST	MISSION	TX	78572-9429
528192	F4350-00-000-0001-05	LA JOYA IND SCH DIST	PO BOX J	LA JOYA	TX	78560-0136
157631	D2800-00-001-0001-00	CENTRO CRISTIANO DE RESTAURACION FAMILIAR	713 N SCHUERBACH RD	MISSION	TX	78572-6992
332114	Z2050-00-000-0000-00	MISSOURI PACIFIC RAILROAD	1400 DOUGLAS ST	OMAHA	NE	68179-0002
332115	Z2050-00-000-0000-05	STATE OF TEXAS	PO BOX EE	PHARR	TX	78577