



MEETING DATE: July 28, 2026

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 – The Milpita 956 in a (C-3) General Business District, being Lot 1, Esdras Vega Subdivision, located at 600 N. Shary Road, Applicant: Lumare Investments, LLC, c/o Lucero M. Rendon, Adoption of Ordinance #_____ - Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 5, 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 was mailed to all property owners within 200 feet of the subject tract.
- July 1, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- July 28, 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 E. 6th Street and Shary Road.
- Per the Code of Ordinance, a mobile food unit requires the approval of a Conditional Use Permit by the City Council.
- The applicant would like to place a mobile food unit in the north green area landscaping of the commercial plaza to sell elotes and munchies. The applicant has obtained written permission from Still Tap to utilize the restrooms for their staff and customers.
- Access to the site is off of E. 6th Street, through an existing 24’ driveway. The parking area is held in common, and there is a total of 58 parking spaces.
- The proposed location follows the city’s minimum distance requirements between mobile food units. The nearest mobile food unit is located in a food truck park at 2509 Colorado Road and is 1.1 miles away.
- Staff: 2 employees
- Hours of operation: Monday – Saturday from 5:00 p.m. to 10:00 p.m.
- 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.
- 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. 1 year approval to continue to assess this new operation

2. Must comply with all City Codes (Building, Fire, Health, etc.)
3. Must comply with noise ordinance
4. Acquire a business license prior to occupancy
5. CUP is not transferable to others
6. Hours of Operation to be as follows: Monday – Saturday from 5:00 p.m. to 10:00 p.m.
7. Restrooms must be accessible to the employees and patrons at all times.

Departmental Approval: Approval

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *JP7*

RECORD OF VOTE:

APPROVED:	_____
DISAPPROVED:	_____
TABLED:	_____

_____ AYES

_____ NAYS

_____ DISSENTING _____