



MEETING DATE: August 25, 2026

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

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit Renewal to allow a Mobile Food Unit – Martha's Burgers & More in a property zoned (C-4) Heavy Commercial District, being the West ½ of Lots 7 & 8, Block 176, Mission Original Townsite Subdivision, located at 307 W. Tom Landry Street, Space B. Applicant: Martha Avitia, Adoption of Ordinance #_____ - Cervantes

NATURE OF REQUEST:

Project Timeline:

- June 30, 2026 – Application for a Conditional Use Permit (“CUP”) submitted to the City.
- July 23, 2026 – Following State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- August 5, 2026 - Public hearing and consideration of the requested Conditional Use Permit by the Planning and Zoning Commission (P&Z)
- August 25, 2026 – Public hearing and consideration of the requested Conditional Use Permit by the City Council.

Summary:

- The site is located 75 feet West of N. Perkins Avenue along the North side of W. Tom Landry Street.
- Pursuant to Section 1.56 (11)(H) of the City of Mission Code of Ordinances, a Mobile Food Unit requires the approval of a conditional use permit by the City Council.
- This business has been in operation since September 24, 2025. The last Conditional Use Permit was approved by the City Council on August 20, 2025, for a period of one year.
- The hours of operation are as follows: Monday through Thursday from 11:00 a.m. to 10:00 p.m.; Saturday from 5:00 pm to 12:00 a.m.; and Sunday from 5:00 pm to 10:00 pm
- Staff: 3 employees
- Parking: The site has 9 parking stalls and 5 additional parking stalls with written approval behind the West Side Liquor Store to use their parking lot in case of any overflow. Staff notes that this property is located within the Mission Central Business District, thus exempt from parking requirements.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (19) 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 as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties.

STAFF RECOMMENDATION:

- Approval for a 2-year term to continue to assess this mobile food unit;
- Continue to comply with all City Codes (Building, Fire, Health, etc.),
- Hours of operation are: Monday through Thursday from 11:00 a.m. to 10:00 p.m.; Saturday from 5:00 p.m. to 12:00 a.m.; and Sundays from 5:00 p.m. to 10:00 p.m.
- Continue to comply with the noise ordinance
- CUP is not transferable to others.

Departmental Approval: Approval

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *JP7*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____