

ITEM# 2.0

CONDITIONAL USE PERMIT: Sale & On-Site Consumption of Alcoholic Beverages – Chisme Bar & Grill
1512 E. Expressway 83, Suites 108 & 109
Lot 1, Re-Subdivision of Plaza Cantera
(aka Lot 2A and 3, Stewart Plaza Subdivision)
C-3
MN 2016, LLC
c/o Molamma B. George

REVIEW DATA

The site is located on the SW corner of Stewart Road and Expressway 83 -**see vicinity map**. The applicant is leasing two suites within the commercial plaza for the proposed Bar & Grill. Access to the site is provided from a 38' driveway off of Expressway 83. The applicant proposes to have a restaurant with a large dining area and bar where customers can relax and enjoy a delicious botana. The menu consists of: Indian and American appetizers, wings, burgers, tacos, Asian chinses, and bread. The applicant is proposing to have 14 booths, 25 tables, a bar, and a stage, where he proposes to have live music, mariachi, and karaoke.

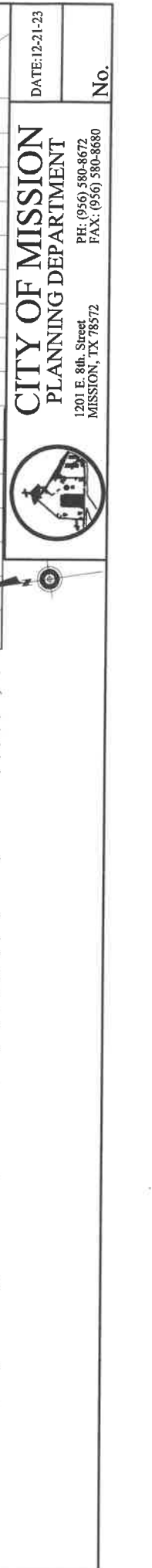
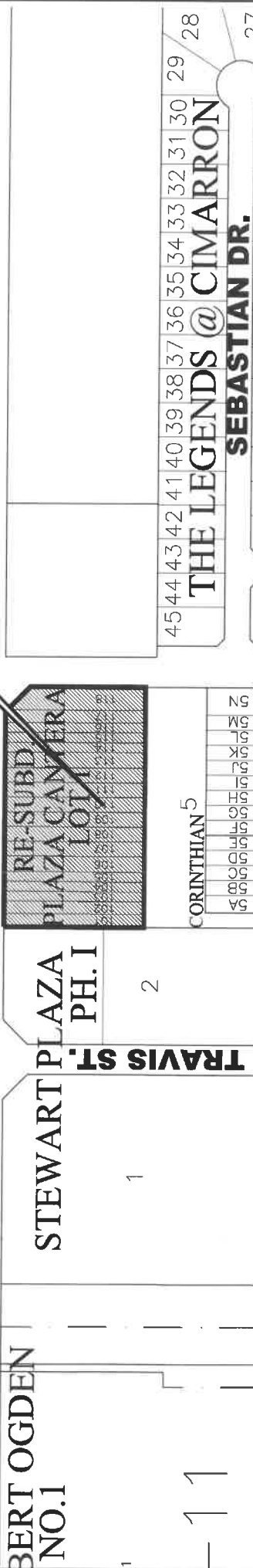
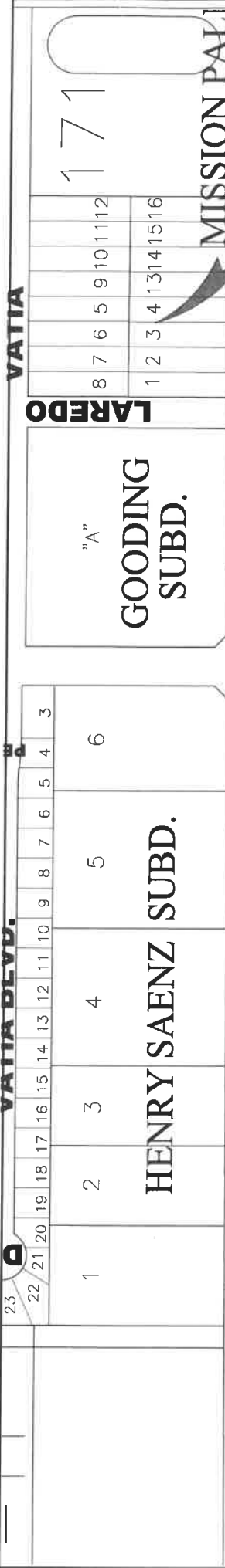
- **Days/Hours of Operation:** Every day from 11:00 a.m. to 2:00 a.m.
- **Staff:** 20 employees
- **Parking & Landscaping:** In reviewing the floor plan, the applicant is proposing 159 seating spaces, which require 53 parking spaces (159 seating spaces/3 = 53 parking spaces). It is noted that the parking area is held in common and there is a total of 219 parking spaces that are shared with the other businesses within the commercial plaza.
- **Sale of Alcohol:** The restaurant includes a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the property line of any churches, schools, publicly owned property, and residences. There are 3 residential lots that are within the 300'. However, P&Z and City Council have waived the separation requirement during other similar CUP's approval.

REVIEW COMMENTS: Staff mailed out 14 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff notes that other CUPS for the sale and on-site consumption of alcoholic beverages for this location have been approved for other businesses in the past.

RECOMMENDATION:

Staff recommends approval subject to:

1. 6 months re-evaluation to assess this new operation,
2. Waiver of the 300' separation requirement from residential uses,
3. Provide a sound buffer to avoid noise from traveling,
4. Continued compliance with all City Codes (Building, Fire, Health codes, Noise, etc.),
5. CUP not to be transferable to others, and
6. Acquisition of a business license prior to occupancy.



U.S. EXPRESSWAY 83

SITE LOCATION



CITY OF MISSION
PLANNING DEPARTMENT
 1201 E. 8th Street
 MISSION, TX 78572

DATE: 12-21-23

PH: (956) 580-8672
 FAX: (956) 580-8680

No.

**SITE
LOCATION**

U.S. EXPRESSWAY 83 (IH 2)

STEWART RD.





CHISME

BAR AND GRIL



Appetizers IND-MEX

- Chicken Tandoori
- Malai Kabab
- Pollo 65
- Pollo Chili Dry
- Pollo Chili Gravy
- Aguachile
- Quesadilla
- BBQ Chicken Nachos
- Tostada de Ceviche
- Cheese stick Platter



Wings

- Chicken wings Boneless
- Chicken Wings Tradicional
- Tacos de Bistec
- Tacos de Trompo
- Burger Jumbo
- Burger Chicken
- Burger AllAmerican



Asian Chines

- Soup Chicken
- Fried Noodle Hakkah
- Fried Rice Egg
- Fried Rice Chicken & Shrimp



Bread

- Garlic Naan
- Regular Naan
- Tortillas





TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

ON-PREMISE PREQUALIFICATION PACKET

L-ON (10/2020)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13 Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit. All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number
- Reinstatement Reinstatement and Change of Trade Name License/Permit Number
- Change of Location Change of Location and Trade Name License/Permit Number

2. Type of On-Premise License/Permit
- | | |
|---|---|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input checked="" type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> O Private Carrier's Permit -Brewpubs (BP) with a BG only | <input type="checkbox"/> E Local Cartage Permit - Wine/Beer retailers (BG) Only |

3. Indicate Primary Business at this Location
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel | <input type="checkbox"/> Bar |
| <input type="checkbox"/> Grocery/Market | <input type="checkbox"/> Sexually Oriented | <input type="checkbox"/> Miscellaneous |

4. Trade Name of Location (Name of restaurant, bar, store, etc.)
Chisme Bar & Grill

5. Location Address
1512 Hwy 83E, Suites 108-109

City Mission	County Hidalgo	State TX	Zip Code 78572
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6. Mailing Address 1001 Travis Street	City Mission	State TX	Zip Code 78572
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7. Business Phone No. 956-429-7903 Her	Alternate Phone No. 956-271-7496	E-mail Address Blessong88@gmail.com
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OWNER INFORMATION

8. Type of Owner
- | | | |
|--|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)
MN 2016 LLC

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your permit/license.

10. Contact Person: Molamma B. George	Relation to Business: Manager
Phone (mandatory): 956-429-7903	Email (mandatory): Blessong88@gmail.com

TABC DATESTAMP

11. Are you, the applicant, a veteran-owned business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
12. Are you, the applicant, a Historically Underutilized Business (HUB)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)			
Individual/Individual Owner		Limited Liability Company/All Officers or Managers	
Partnership/All Partners		Joint Venture/Venturers	
Limited Partnership/All General Partners		Trust/Trustee(s)	
Corporation/All Officers		City, County, University/Official	
Last Name George	First Name Molamma	MI B.	Title Manager
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

14. Will your business be located within 300 feet of a church or public hospital? Yes No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

15. Will your business be located within 300 feet of any private/public school, day care or child care facility? Yes No
If "YES," are the facilities located on different floors or stories of the building? Yes No

NOTE: For private/public schools, day care centers and child care facilities, measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

16. Will your business be located within 1,000 feet of a private school? Yes No

17. Will your business be located within 1,000 feet of a public school? Yes No

60-DAY SIGN

18. If required under Section 11.391 and 61.381, provide exact date the required sign was posted at the location. Exact Date (MM/DD/YYYY)
09-04-2023

ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE
I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.

All required forms have been completed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have reviewed all forms to ensure they are complete.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have obtained all required local and state certifications (pages 3-5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All application packets have been notarized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Phone numbers and email address for contact person are up to date.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All additional documentation as required by the application packets is attached.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If required, out of state criminal history checks are attached (PHS #7).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Certification of publication in local newspaper has been completed (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
A copy of the newspaper publication is attached (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

- Proprietorship
- Partnership
- Corporation
- Limited Partnership
- Limited Liability Partnership
- Limited Liability Company

WHO MUST SIGN:

- Individual Owner
- Partner
- Officer
- General Partner
- General Partner
- Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "... a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT NAME

Molamma B. George

SIGN HERE

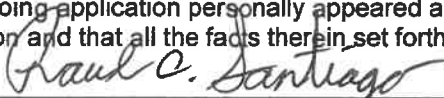


TITLE

M

Before me, the undersigned authority, on this _____ day of DECEMBER, 20____, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE


 NOTARY PUBLIC

SEAL

CERTIFICATE OF CITY SECRETARY FOR MB, RM, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the city secretary or clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by ordinance.

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

- MB** Mixed Beverage Permit
- RM** Mixed Beverage Restaurant Permit with Food and Beverage Certificate
- BG** Wine and Beer Retailer's Permit
- BG/FB** Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)

Election for given location was held for:

- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
OR
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999
- BE** Beer Retail Dealer's On-Premise License

OR

I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN HERE

City Secretary/Clerk

City

TEXAS

SEAL

S2950-00-000-0161-10 (280841)
RRR DEVELOPMENT LP
PO BOX 86
HIDALGO TX 78557

T3510-00-000-0044-00 (668047)
TRISTAN YRIS VIOLETA ROBLES
1603 SEBASTIAN ST
MISSION TX 78572

T3510-00-000-0045-00 (668048)
ZAPATA GERARDO DANIEL
1601 SEBASTIAN ST
MISSION TX 78572

S6215-00-000-0005-00 (686765)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-002A-00 (686778)
MGV INVESTMENT GROUP LLC
4712 VERMONT AVE
MCALLEN TX 78503

S6215-00-000-002B-00 (686779)
BLUE SUNRISE INVESTMENTS LLC
312 W NOLANA LOOP
PHARR TX 78577

S6215-00-000-005A-00 (686792)
LESKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005F-00 (686784)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005G-00 (686785)
DLT DEVELOPMENT LLC
3907 SANTA VERONICA
MISSION TX 78572

S6215-00-000-005H-00 (686786)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-005I-00 (686793)
CARDENAS OSCAR & LESVIA
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005J-00 (686787)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-005M-00 (686790)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

C1115-00-000-0108-00 (1178292)
MGV INVESTMENT GROUP LLC
4712 VERMONT AVE
MCALLEN TX 78503