



**MEETING DATE:** May 27, 2025

**PRESENTED BY:** Xavier Cervantes, Director of Planning

**AGENDA ITEM:** Conduct a public hearing and consideration of a Conditional Use Permit for a Drive-Thru Service Window for Hiro, LLC aka Pura Vida Snacks & Drinks, being Lot C1-A, Replat of Lots C1 thru C11, Taurus Estates No. 3 Subdivision in a (C-3) General Business District, located at 3009 N. Inspiration Road, Suite A, Applicant: Hiram Cisneros, Adoption of Ordinance #\_\_\_\_\_ –Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- April 23, 2025 – Application for Conditional Use Permit (“CUP”) submitted to the City.
- May 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.
- May 21, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- May 27, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The site is located at the NW corner of Inspiration Road and Giselle Street.
- Per Code of Ordinance, a Drive-Thru Service Window requires the approval of a Conditional Use Permit by the City Council.
- The applicant has operated a snack shop at this location since 2018 under Xquinkles Snackland Inspiration. The last conditional use permit approved for the drive-thru service window for this location was on June 10, 2024 for life of use. The applicant would now like to change the name of the business to Pura Vida Snacks & Drinks, and that requires a new conditional use permit.
- The proposed hours of operation are as follows: Monday – Sunday from 11:00 am to 9:00 pm
- Staff: 1 employee
- Parking: There are 19 seating spaces, which require 6 parking spaces (19 total seating spaces/3 = 6.33 parking spaces). There are 138 existing parking spaces in the commercial plaza that are shared with the other businesses.
- Staff notes that there is landscaping in front of the business and along Giselle Street which must be maintained by the property owner or the applicant.
- Sale of Alcohol Section 6-4: of the Zoning Code requires such uses to be 300 feet from the nearest residence, church, school, or publicly owned property. There is a residential subdivision directly behind the alley that fall within the 300 feet, however, P&Z and City Council have waived the separation requirement in the previous approval.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (32) 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 non-compliance.
2. Acquire a new business license.
3. Continued compliance with all City Codes (Building, Fire, Health, etc.)
4. Compliance with TABC requirements.
5. Waiver of the 300' separation requirement from the residential neighborhoods.
6. CUP is not to be transferable to others.
7. Hours of operation: Monday – Sunday from 11:00 am to 9:00 pm

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**Departmental Approval:** N/A

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**Advisory Board Recommendation:** Approval

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**City Manager's Recommendation:** Approval *MRP*

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**RECORD OF VOTE:**

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

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

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

\_\_\_\_\_ AYES

\_\_\_\_\_ NAYS

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