



MEETING DATE: May 27, 2025

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 – Elotes & More, being the East 300 feet of the South 300 feet of the North 300 feet of the East 479.4 feet of the West 1249.4 feet of Lot 24-6, West Addition to Sharyland Subdivision, in a (C-2) Neighborhood Commercial District, located at 2215 N. Conway Avenue. Applicant: Ricardo Martinez, Adoption of Ordinance # _____ – Cervantes

NATURE OF REQUEST:

Project Timeline:

- May 2, 2025 – Application for a Conditional Use Permit (“CUP”) submitted to the City.
- May 08, 2025 – Following State and local law, notice of the required public hearings mailed to all property owners within 200 feet of the subject tract.
- May 21, 2025 - Public hearing and consideration of the requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- May 27, 2025 – Public hearing and consideration of the requested Conditional Use Permit by the City Council.

Summary:

- The site is located at the Southwest corner of N. Conway and Griffin Parkway within the property of the Conway Avenue Baptist Church.
- Pursuant to Section 1.56 of the City of Mission Code of Ordinances, a Mobile Food Unit requires the approval of a conditional use permit by the City Council.
- The applicant proposes to place a 9 foot by 18 foot mobile food unit using three church parking spaces to allow the unit owners to sell their corn products.
- The church pastor has allowed the use of the building restrooms to be accessible to the employees and customers while the church is in service only.
- The proposed hours of operation are as follows: Wednesday from 7:00 p.m. to 8:30 p.m. & Sunday from 10:00 a.m. to 12:00 p.m.
- Staff: 4 to 6 employees.
- Parking: The church has a total of 60 parking spaces available. Based on the capacity of the church 50 parking spaces required, exceeding code by 10. (1 parking spaces for every 4 seats in the auditorium 200 seats/4 = 50 parking spaces).
- The application for this conditional use permit was submitted after the April 28, 2025 ordinance amendment placing limitations for new mobile food units to be located with a one-mile minimum distance separation from existing mobile food units.
- The proposed location is 1,040 feet of the existing mobile food unit located at 1625 N. Conway.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (10) 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:

Staff recommends denial to the Conditional Use Permit since it does not comply with the new minimum distance requirement from other existing mobile food units.

However, if the board or Council is inclined to approve the request, then staff recommends the following conditions:

- 1-year re-evaluation in order to assess this new operation;
- Must comply with all City Codes (Building, Fire, Health, Sign, etc.),
- Add landscaping with a drip irrigation system along Griffin Parkway.
- Restrooms must be accessible to the employees and patrons at all times.
- Acquisition of a business license prior to occupancy.
- CUP is not transferable to others
- Hours of operation are Wednesday from 7:00 p.m. to 8:30 p.m. & Sunday from 10:00 a.m. to 12:00 p.m.

Departmental Approval: N/A

Advisory Board Recommendation: Denial

City Manager's Recommendation: Denial *MRP*

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____