



**MEETING DATE:** April 28, 2025

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

**AGENDA ITEM:** Public hearing and take action to consider a Conditional Use Permit for a Drive-Thru Service Window – Chipotle restaurant, being Lot 6, North Sharyland Commons Subdivision in a (C-3) General Business District, located at 100 N. Shary Road. Applicant: Kimco Chipotle, Adoption of Ordinance # \_\_\_\_ - Cervantes

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**NATURE OF REQUEST:**

Project Timeline:

- March 28, 2025 – Application for Conditional Use Permit (“CUP”) submitted to the City.
- March 28, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 16, 2025 - Public hearing and consideration of requested Conditional Use Permit by the Planning and Zoning Commission (P&Z).
- April 28, 2025 – Public hearing and consideration of the requested conditional use permit by the City Council.

Summary:

- The site is located at the Southeast corner on N. Shary Road and Ruby Red Blvd.
- The site will include a drive thru service window on the north side of the building. Access to the drive thru service window would be off two (2) points. One access is off Ruby Red Boulevard via a 24foot wide driveway. The second access is off a service road via a 24foot wide driveway. They would place the order on the east side of the building and pick up the orders on the north side. The customers will drive-thru window location allows stacking for approximately 7 vehicles.
- Pursuant to Section 1.43 (3)(C) of the City of Mission Code of Ordinances, a Drive-Thru Service Window requires the approval of a conditional use permit by the City Council.
- The proposed hours of operation are as follows: Sunday – Saturday from 10:45am to 11:00pm.
- The working staff will be 20 to 30 employees in different shifts
- Parking: In reviewing the floor plan, there is a total of 19 tables with a total of 54 seating spaces proposed, which would require 18 parking spaces. (1 parking space for every 3 seats = 18 parking spaces). The site plan shows a total of 36 parking spaces provided.
- The Planning Staff has not received any objections to the request from the surrounding property owners. Staff mailed out (16) 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 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 Approval for Life of Use subject to:
- Must comply with all City Codes (Building, Fire, Health, etc.),
- Installation of a speed bump at the end of the ordering window,
- Acquisition of a business license prior to occupancy, and
- CUP not be transferable to others

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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 \_\_\_\_\_



[illegible]

CITY OF MISSION  
HIDALGO COUNTY, TEXAS

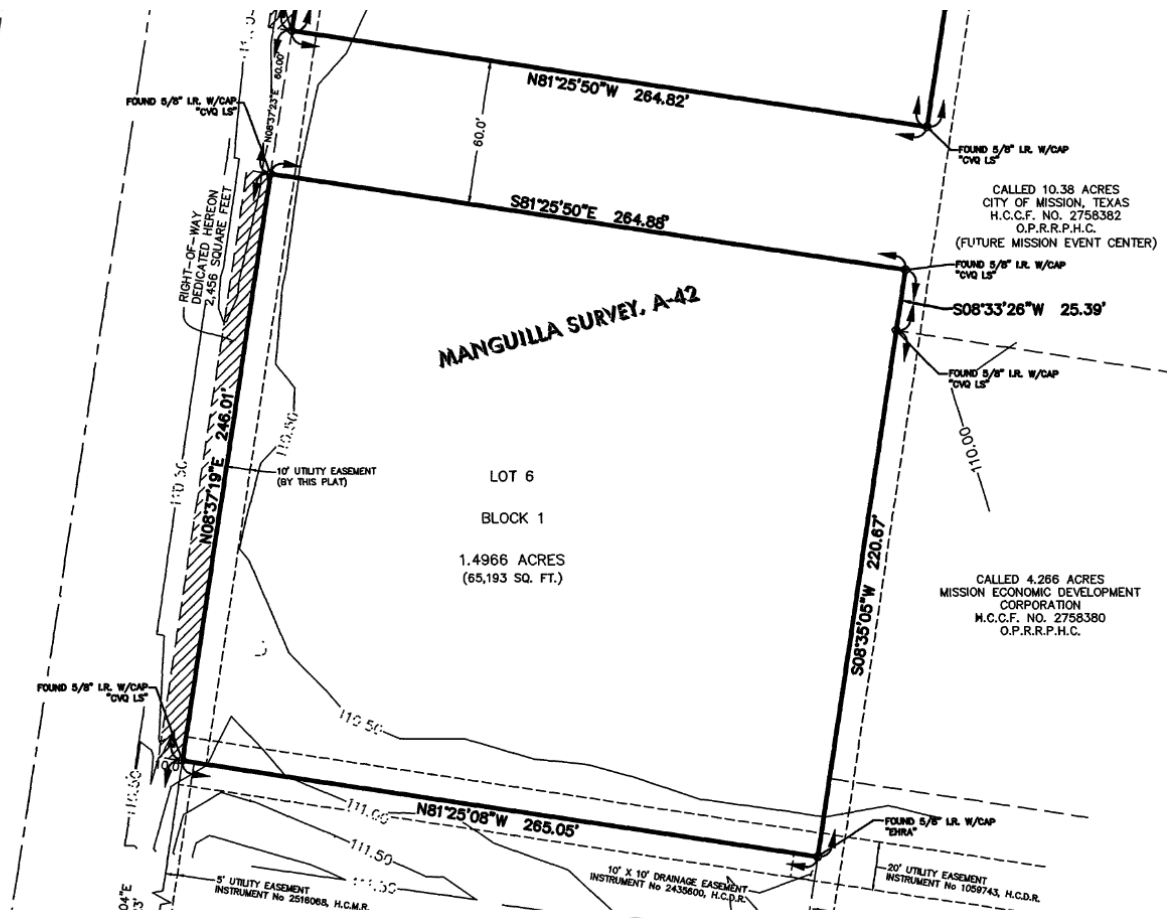
1201 E. 8th Street  
MISSION, TX 78572

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

No.

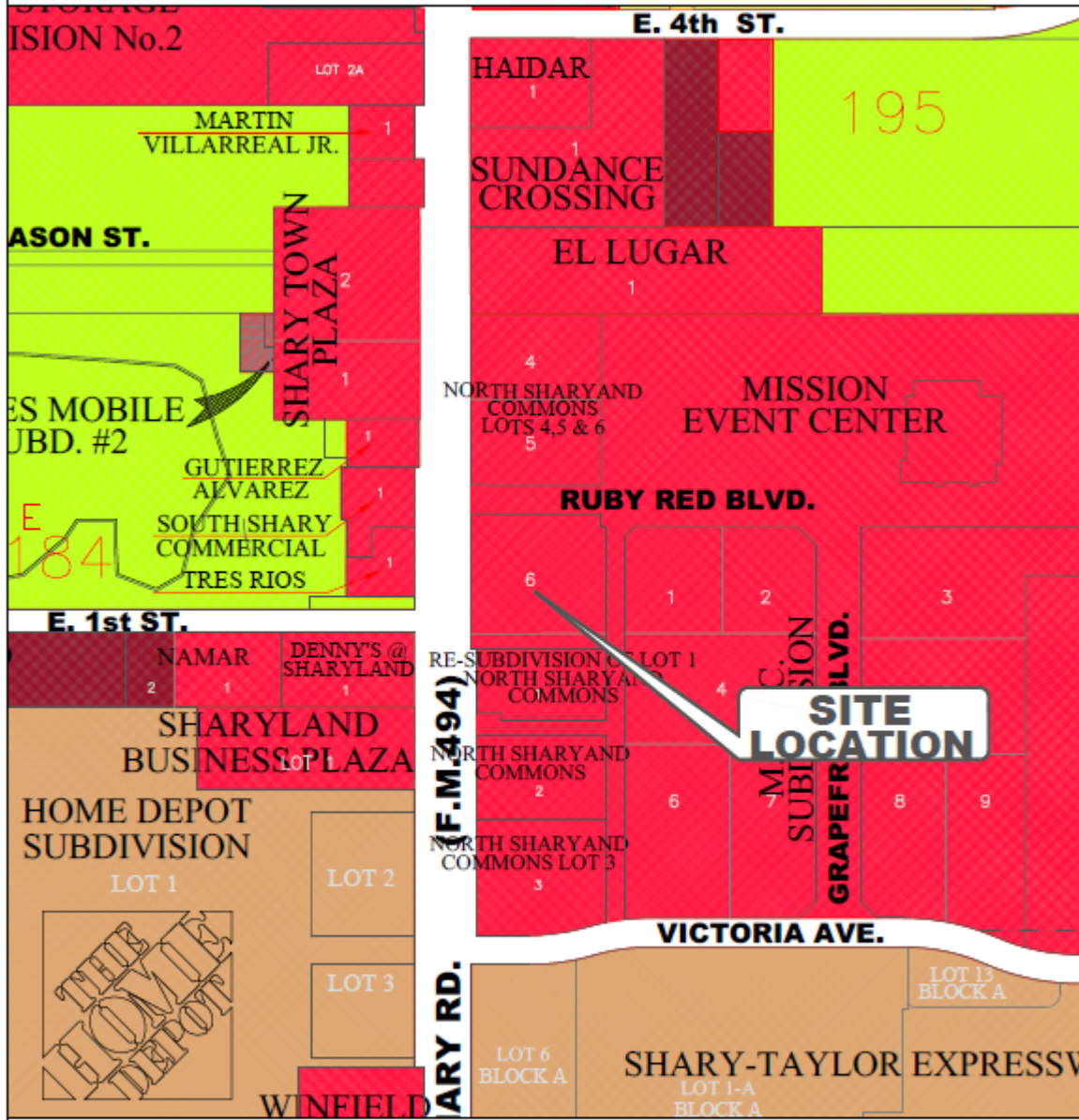


# PLAT OF LOT 6, NORTH SHARYLAND COMMONS





# ZONING MAP



## ZONING LEGEND

	A0-I AGRICULTURAL OPEN INTERIM		R-3 MULTI-FAMILY RESIDENTIAL		C-4 HEAVY COMMERCIAL
	A0-P AGRICULTURAL OPEN PERMANENT		R-4 MOBILE & MODULAR HOME		C-5 ADAPTIVE COMMERCIAL
	R-1A LARGE LOT SINGLE FAMILY		R-5 HIGH DENSITY MFCTD HOUSING		I-1 LIGHT INDUSTRIAL
	R-1T TOWNHOUSE RESIDENTIAL		C-1 OFFICE BUILDING		I-2 HEAVY INDUSTRIAL
	R-1 SINGLE FAMILY RESIDENTIAL		C-2 NEIGHBORHOOD COMMERCIAL		PUD PLANNED UNIT DEVELOPMENT
	R-2 DUPLEX-FOURPLEX RESIDENTIAL		C-3 GENERAL BUSINESS		P PUBLIC



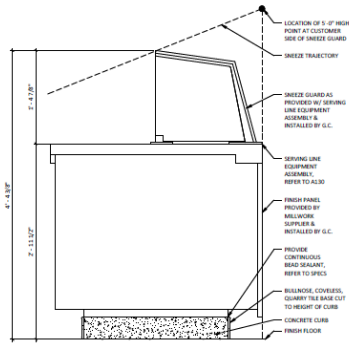


## ATTACHEMENTS (PICTURES)

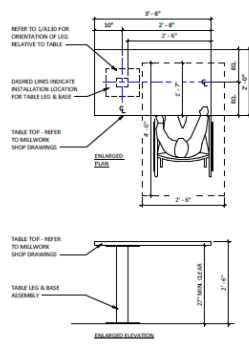




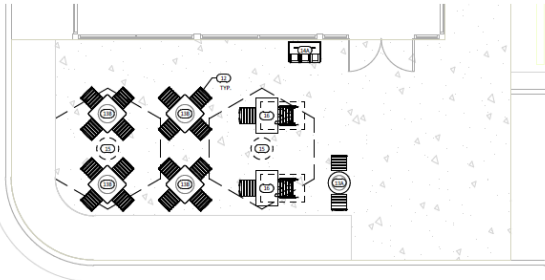
# FLOOR PLAN



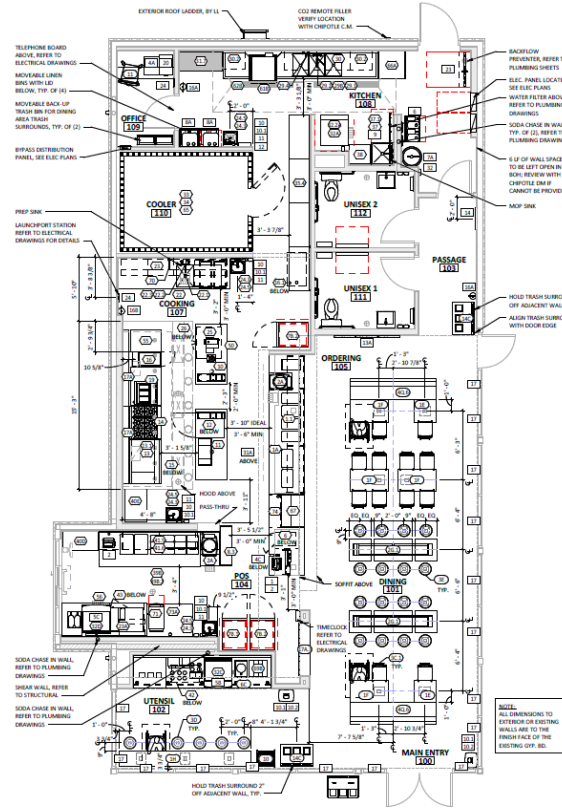
**DETAIL @ SERVE LINE SNEEZE GUARD**  
1/8" = 1'-0"



**DETAIL @ ACCESSIBLE TABLE**  
1/8" = 1'-0"



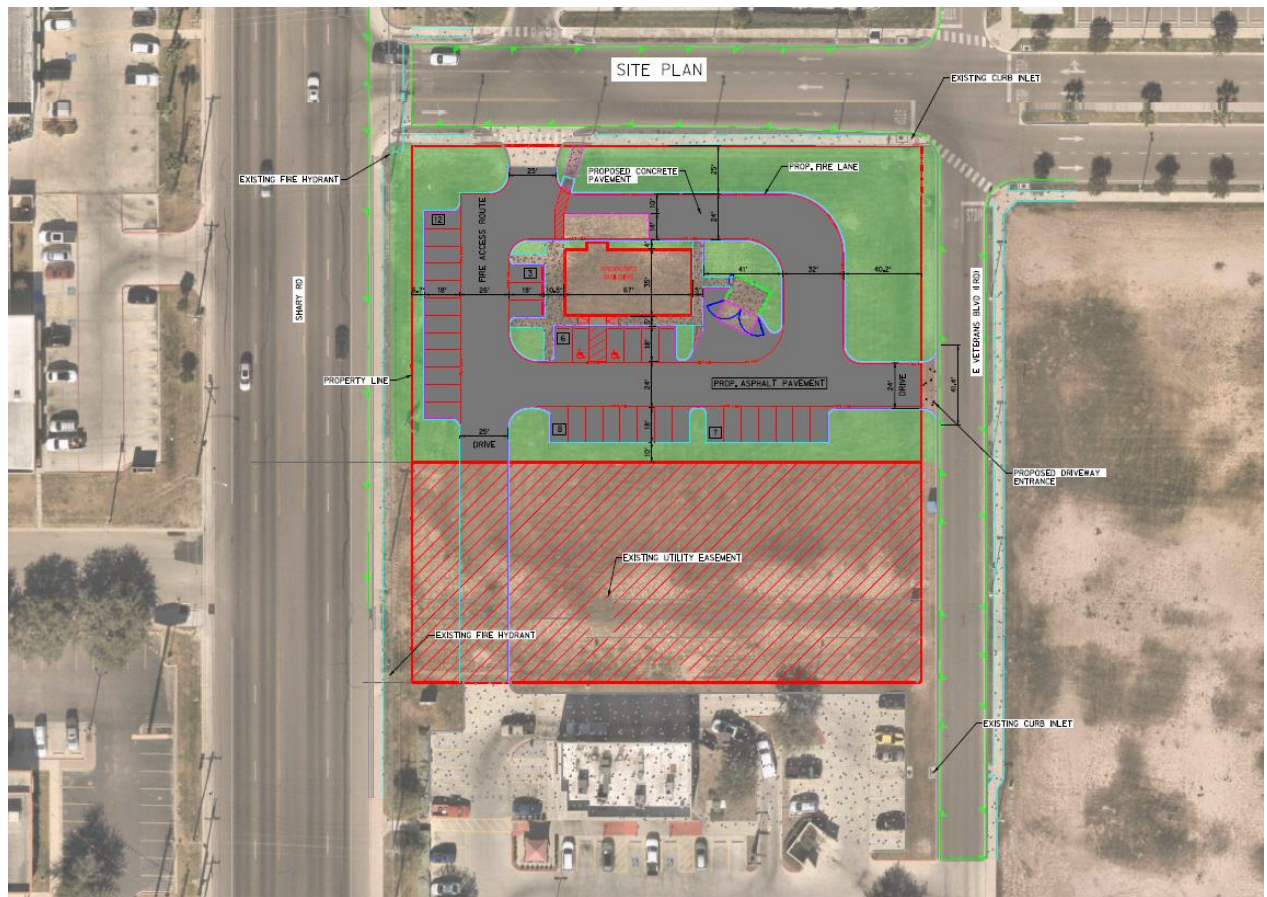
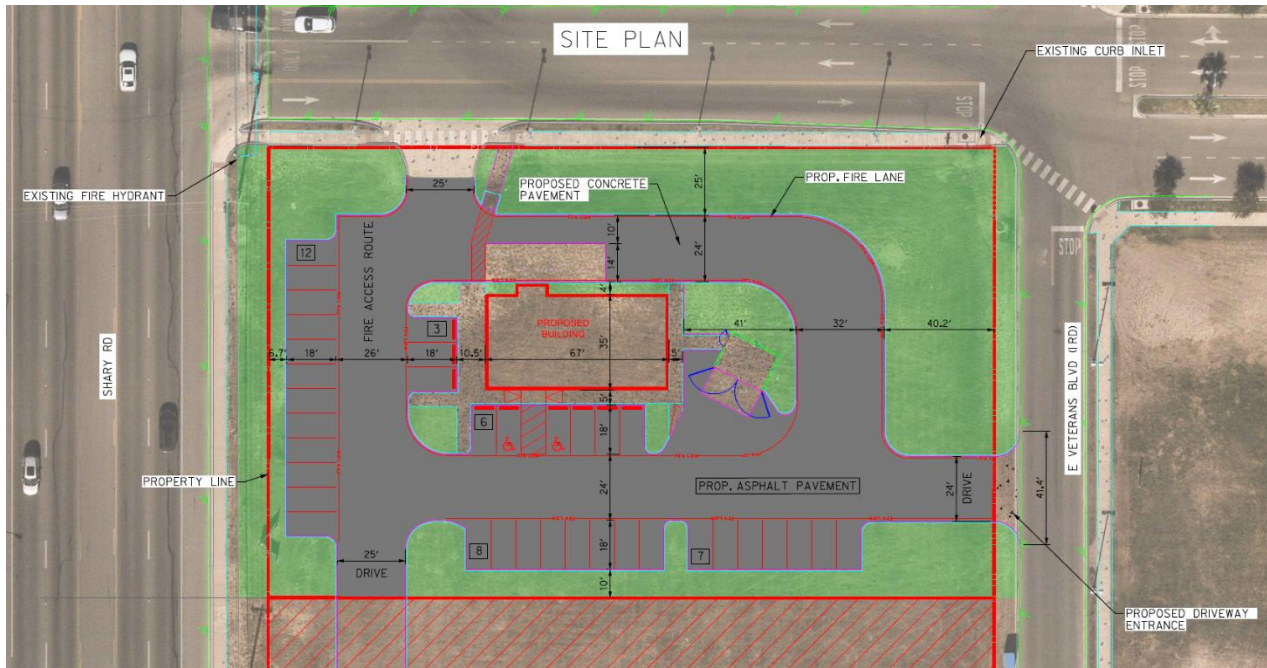
**FURNITURE, FIXTURE & EQUIPMENT PATIO PLAN**  
1/8" = 1'-0"



**FURNITURE, FIXTURE & EQUIPMENT PLAN**  
1/8" = 1'-0"



## SITE PLAN – EXHIBIT (AERIAL PHOTO)





**SITE PLAN – DRIVE-THRU SERVICE WINDOW (AERIAL PHOTO)**

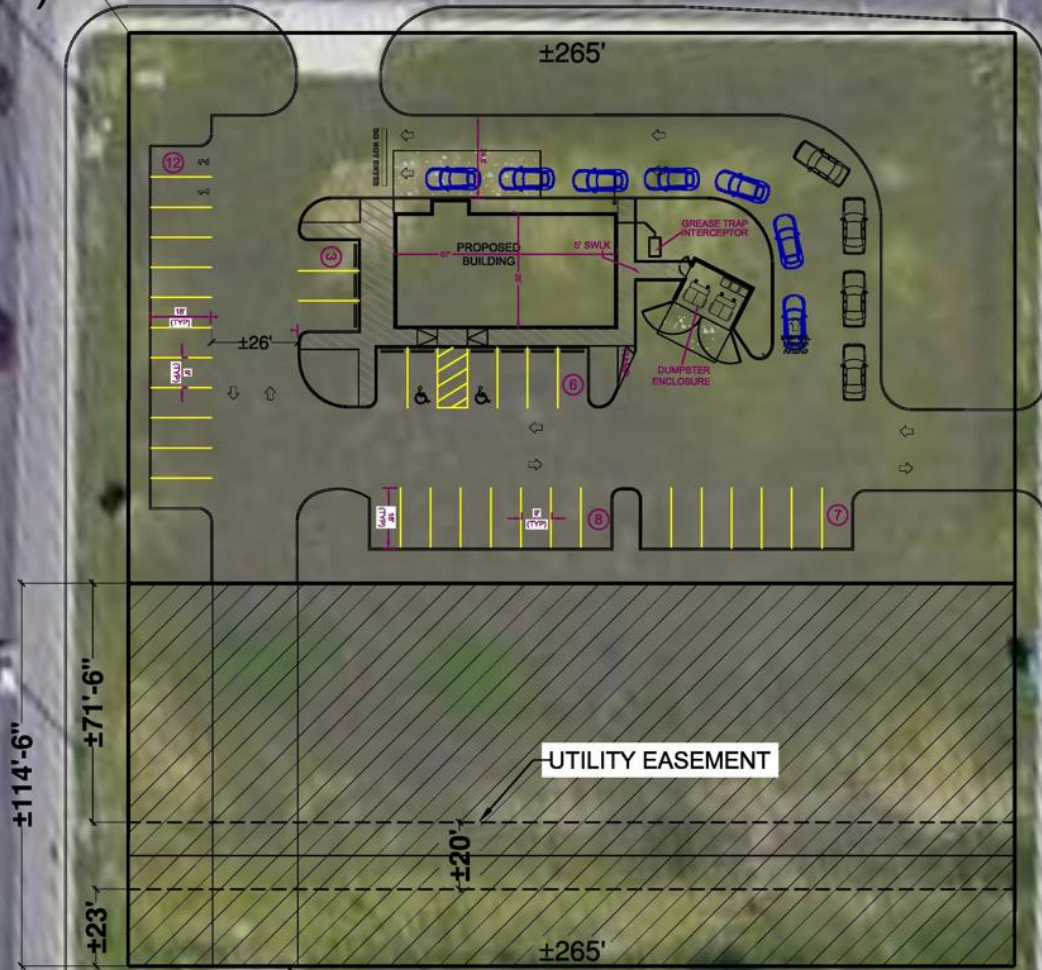
CEL 5A  
307 SF)

#5596 MISSION  
PRELIMINARY SITE PLAN TEST  
11/5/24 JA

**Ruby Red Blvd**

**SHARY ROAD**

**STREET "B"**





## STAFF RECOMMENDATION

- Staff recommends Approval for Life of Use subject to:
- Must comply with all City Codes (Building, Fire, Health, etc.),
- Installation of a speed bump at the end of the ordering window,
- Acquisition of a business license prior to occupancy, and  
CUP not be transferable to others



## MAILOUT LIST

PROP_ID	Property Owner	addrDeliveryLine	addrCity	addrState	addrZip
730399	MPJ GROUP LLC	400 W NOLANA AVE STE N2	MCALLEN	TX	78504-3037
716978	MPJ GROUP LLC	400 W NOLANA AVE STE N2	MCALLEN	TX	78504-3037
897382	WEINGARTEN SHARY NORTH JV	500 N BROADWAY STE 201	JERICO	NY	11753
958833	CFT NV DEVELOPMENTS LLC	1683 WALNUT GROVE AVENUE	ROSEMEAD	CA	91770-3711
841644	TRESFUENTES LLC	2704 SAN DIEGO	MISSION	TX	78572-7187
841645	TRESFUENTES LLC	2704 SAN DIEGO	MISSION	TX	78572-7187
841646	TRES ARIES LLC	2807 SONORA ST	MISSION	TX	78572-5959
841647	TORTILLAS ARIES LLC	201 N SHARY RD STE 4	MISSION	TX	78572-9806
1067390	DENNYS INC	203 E MAIN ST	SPARTANBURG	SC	29319-0001
1236071	WEINGARTEN SHARY NORTH JV	500 N BROADWAY STE 201	JERICO	NY	11753
1236070	MDC COASTAL 5 LLC	7400 E ORCHARD ROAD 2605	GREENWOOD VILLAGE	CO	80111
1238512	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
624567	CITY OF MISSION	1201 E 8TH ST	MISSION	TX	78572-5812
1241931	MISSION ECONOMIC DEVELOPMENT CORPORATION	801 N BRYAN RD	MISSION	TX	78572-6506
1241928	MISSION ECONOMIC DEVELOPMENT CORPORATION	801 N BRYAN RD	MISSION	TX	78572-6506
1241925	MISSION ECONOMIC DEVELOPMENT CORPORATION	801 N BRYAN RD	MISSION	TX	78572-6506



**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW –  
CHIPOTLE RESTAURANT, BEING LOT 6, NORTH SHARYLAND COMMONS  
SUBDIVISION**

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of April 16, 2025, the Planning and Zoning Commission of the City of Mission upon duly recognized motion and second, voted to recommend to the City Council that the conditional use permit shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, April 28, 2025, in the Council Chambers of the City Hall to consider the following conditional use permit:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT THE FOLLOWING CONDITIONAL USE PERMIT BE GRANTED:

<b>Legal Description</b>	<b>Type</b>	<b>Conditions of Approval</b>
Being Lot 6, North Sharyland Commons Subdivision	Drive – Thru Service Window	<ul style="list-style-type: none"><li>• Staff recommends Approval for Life of Use subject to:</li><li>• Must comply with all City Codes (Building, Fire, Health, etc.),</li><li>• Installation of a speed bump at the end of the ordering window,</li><li>• Acquisition of a business license prior to occupancy, and CUP not be transferable to others</li></ul>

READ, CONSIDERED AND PASSED, this the 28<sup>th</sup> day of April, 2025.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary