



MEETING DATE: October 28, 2025

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

AGENDA ITEM: Conduct a public hearing and consideration of a Conditional Use Permit Renewal for the Sale & On-site Consumption of Alcoholic Beverages – El Itacate Restaurant in a (C-3) General Commercial District, being Lot 2, Shary Town Plaza Subdivision, located at 301 N. Shary Road, Suite 240, Applicant: Las Pupusas Del Itacate, LLC, c/o Claudia Bajos, Adoption of Ordinance # _____ – Cervantes

NATURE OF REQUEST:

Project Timeline:

- September 4, 2025 – Application for Conditional Use Permit submitted to the City for processing.
- September 19, 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.
- October 1, 2025 – Public hearing and consideration of a Conditional Use Permit by the Planning and Zoning Commission.
- October 28, 2025 – Public hearing and consideration of a Conditional Use Permit by the City Council.

Summary:

- The subject site is located approximately 450' north of 1st Street along the west side of Shary Road.
- Per Code of Ordinance, the Sale & On-site Consumption of Alcoholic Beverages requires the approval of a Conditional Use Permit by the City Council.
- The applicant is leasing a 4,004 square foot suite within a commercial plaza for a Mexican Restaurant. She has been in operation at this location since February of this year. She would like to continue to offer alcohol with her meals. Therefore, the need to renew her conditional use permit. Access to the site is via two 30' driveways off Shary Road.
- The proposed days and hours of operation are Monday–Sunday from 7:00 am to 12:00 am,
- Staff: 15 employees in different shifts
- Parking: In reviewing the floor plan, there is a total of 113 seating spaces proposed, which require 38 parking spaces (113 seats/1 space for every 3 seats – 37.6 parking spaces). It is noted that the parking is held in common. There are 143 existing parking spaces available and are shared with the other businesses within the commercial plaza.
- Sale of Alcohol: The restaurant includes a 'bar' component. Section 1.56(3)(a) of the Zoning Code requires a minimum separation of 300' from the property line of any church, school, publicly owned property, or residence. There are no land uses within the above radius, measured door-to-door for churches or hospitals, or measured lot line to lot line for schools.
- The Planning staff has not received any objections to the request from the surrounding property owners. Staff mailed out (15) legal notices to surrounding property owners.
- Staff asked PD for any reports of this location regarding alcohol. As of this date, no incidents have been reported.

DISSENTING