

City Council-Regular Meeting

Date: 02/20/2024

Initiated By: Jose A. Valdez Jr., Assistant City Manager/City Secretary
Initiated By: 7 Flags Holdings, LLC, Owner; Laredo Entertainment Group, LLC, Applicant; Ricardo Villarreal, Representative

Staff Source: Vanessa Guerra, Interim Planning Director

SUBJECT

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a Bar on Lot 2, Block 1, Loop 20 Highway 359 Commercial Plaza, located at 4416 Jaime Zapata Memorial Highway.

The Planning and Zoning Commission recommended **approval** of the proposed conditional use permit with the removal of condition number nine (9) and staff **does not support** the application.

ZC-023-2024

District III

PREVIOUS COUNCIL ACTION

None.

BACKGROUND

Council District: III - Cm. Melissa R. Cigarroa

Proposed use: Bar (Hive Social)

Site: The site is currently occupied by a car wash (GaP Car Wash).

- The site is currently zoned B-3.

Surrounding land uses: To the north of the site is Gonzalez Auto Parks, residential uses, and State Highway 359. To the east of the site is Jaime Zapata Memorial Highway and Bob Bullock Loop. To the south of the site is Jaime Zapata Memorial Highway and Bob Bullock Loop. To the west of the site is LG Nursey and Landscaping, residential uses, and Mauro Sandoval Drive.

Comprehensive Plan: The Future Land Use Map recognizes this area as Neighborhood Mixed Use.

https://www.openlaredo.com/planning/2017_Comprehensive_Plan-Viva_Laredo.pdf#page=39

Transportation Plan: The Long Range Thoroughfare Plan identifies Jaime Zapata Memorial Highway as an Expressway.

www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf

Letters sent to surrounding property owners: 16

In Favor: 0

Opposed: 0

COMMITTEE RECOMMENDATION

The Planning & Zoning Commission in a 6 to 2 vote recommended approval of the conditional use permit with the removal of condition number nine (9).

STAFF RECOMMENDATION

A Conditional Use Permit is intended to provide for those land uses where additional regulation is necessary to protect the property and surrounding area. It is primarily intended for property located in older section of the city and is intended to promote development and/or redevelopment of such property which is consistent with the land use patterns of surrounding property.

Staff **does not support** the proposed conditional use permit for the following reasons:

1. The proposed use is not compatible with the residential uses abutting the proposed site.
2. The proposed use may have a negative impact on the residential uses abutting the proposed site.
 - Music, noise, and speakers may pose a noise nuisance to the residential areas northwest of the site.
3. The intensity of the proposed use as an outdoor entertainment venue affects the residential uses in the area.

If approved, Staff suggests the following conditions:

1. The Conditional Use Permit is restricted to the site plan, "Exhibit A", which is made part hereof for all purposes.
2. The hours of operation shall be limited to, Wednesday, Thursday, and Sunday from 11:00 a.m. to 11:00 p.m., and Friday and Saturday from 11:00 a.m. to 1:00 a.m.
3. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
4. Landscaping shall be provided in accordance with the City of Laredo Land Development Code.
5. The owner shall provide an opaque fence or wall of not less than 7 (seven) feet in height along any side or rear property lines which abut or adjoin property containing a residential use or residential zoning district. Apartment complexes, residential condominiums or residential townhomes shall be similarly screened irrespective of which zoning district they occur in.
6. The establishments must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. Signage shall be consistent with the City's Sign Ordinance and TABC rule or regulation.
8. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
9. Music and speakers are prohibited. There shall be no noise, no music, or no ground vibrations created or sustained on the site which are perceptible without instruments

at any point on any property adjoining the subject property.

10. The proposed use shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load issued to the CUP business holder.
11. The proposed use shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.
12. The proposed use shall undergo an annual Fire Inspection.
13. All permits, licenses, certifications and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current including but not limited to: a. Food Manager License (annual), b. Food Handler's Permit (annual), c. Certificate of Occupancy with Occupant Load. Occupant Load being the approved capacity of a building or portion thereof.
14. Owner shall comply with, Building, Health, Safety, and all applicable codes and regulations as required.
15. The proposed use shall provide the City of Laredo, Planning Department with a copy of the current TABC License to include but not limited to any renewals or amendments as they occur.

Staff **does not support** the application.

Is this change contrary to the established land use pattern?

The proposed use is not compatible with the residential uses abutting the proposed site.

Would this change create an isolated zoning district unrelated to surrounding districts?

No, the zone will not change.

Will change adversely influence living conditions in the neighborhood??

The proposed use may have a negative impact on the surrounding area or neighborhood due to noise nuisance.

Are there substantial reasons why the property cannot be used in accordance with existing zoning?

Yes, the underlying zone does not allow a bar as intended by the applicant.

Attachments

Maps

Narrative

Site Plan

Additional Parking

Signage

Ordinance - Draft
