

## ORDINANCE NO. 2021-O-189

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A SPECIAL USE PERMIT FOR A RESTAURANT SERVING ALCOHOL ON LOT 1, BLOCK 1, ROYAL OAKS SUBDIVISION, PHASE 1, LOCATED, ON 110 WILLOW OAK STREET; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Special Use Permit for a Restaurant Serving Alcohol on Lot 1, Block 1, Royal Oaks Subdivision, Phase 1, located, on 110 Willow Oak Street; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on August 19, 2021; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the issuance of the Special Use Permit; and,

WHEREAS, notice of the Special Use Permit request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on September 20, 2021, on the request and finds the Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing a Special Use Permit for a Restaurant Serving Alcohol on Lot 1, Block 1, Royal Oaks Subdivision, Phase 1, located, on 110 Willow Oak Street.

Section 2: The Special Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The Special Use permit is issued to Fernando Canseco applicant and Lopez & Sons Invest., LLC owner for the Taco Mais Restaurant, and is non- transferable.
2. The Special Use Permit is restricted to Suite 3 and limited to 2,178 sf interior spaces as per site plan "Exhibit A", which is made part hereof for all purposes.



3. 24-78.3 Parking Space Formulas (2) Commercial/Services (v v) Restaurant (1) Sit down restaurants - Twelve (12) parking spaces per 1,000 sq. ft. Restaurant seating area is 1,958.31 therefore it will need 24 spaces minimum. Plus, the accommodation for 7 for employees and 1 parking for the company vehicle adding up to a total of 32 parking spaces.
4. The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from 7:00 AM to 10 PM, Monday through Sunday.
5. At all times the restaurant is open to the public for business; it shall continually maintain and serve food from its full-service menu.
6. The establishment must make provision 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 rules or regulations.
8. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
9. Outdoor music and speakers shall be prohibited and there shall be 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 restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant load issued to SUP business holder.
11. The restaurant 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 exist or exit discharges.
12. The restaurant shall go undergo an annual Fire Inspection.
13. All permits, licenses, certifications, and inspections require by the code and ordinance of the City of Laredo shall kept up to date and current including but not limited to Food Manager License, (annual) Food Handlers' Permit (annual) and certificate of Occupancy and Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.
14. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
15. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
16. Strobe lights, flashing lights and any other outdoor lighting designated to attract attention are prohibited.



17. The restaurant shall maintain and comply with the BLUE Handgun Sign regulations as per TABC (not to exceed the required alcohol sales percentage).
18. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.
19. Owner shall comply with; Building, Health, Life, and Safety and all applicable codes and regulations as required

Section 3: This ordinance shall be published in a manner provided by Section 2.09(D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Special Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled "Revocation," according to the criteria and procedures described therein and below:

1. Enforcement and Revocation of Special Use Permit

- (a) Any Special Use Permit, authorized by City Council, shall be considered in noncompliance and shall be suspended or revoked and removed from the City of Laredo Zoning Map if:
  - A. A court having jurisdiction or a jury find the holder of the Special Use Permit guilty of a violation or if a holder of a SUP pleads guilty of violating:
    1. Any requirement or term or condition of the Special Use Permit or has not conformed, at any time, with any or all of the requirements or terms or conditions as set in the Special Use Permit as approved by the City Council.
  - B. The activity authorized by the Special Use Permit commences prior to the institution of all conditions imposed by the Special Use Permit.
  - C. The use for which the special use for a period of six (6) consecutive months of the effective date of the Special Use Permit.
    1. An extension of up to six months may be granted, for good cause shown, by the Building Development Services Director upon petition of the SUP holder.
  - D. The use of which the Special Use Permit is authorized is discontinued for a period of six (6) consecutive months.
  - E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.93.12 of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, The Planning Director shall then issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map.

2. Procedures



Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Special Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of Special Use Permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Special Use Permit for that location.
- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.
- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Special Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
4 DAY OF October, 2021.

  
PETE SAENZ  
MAYOR

ATTEST:

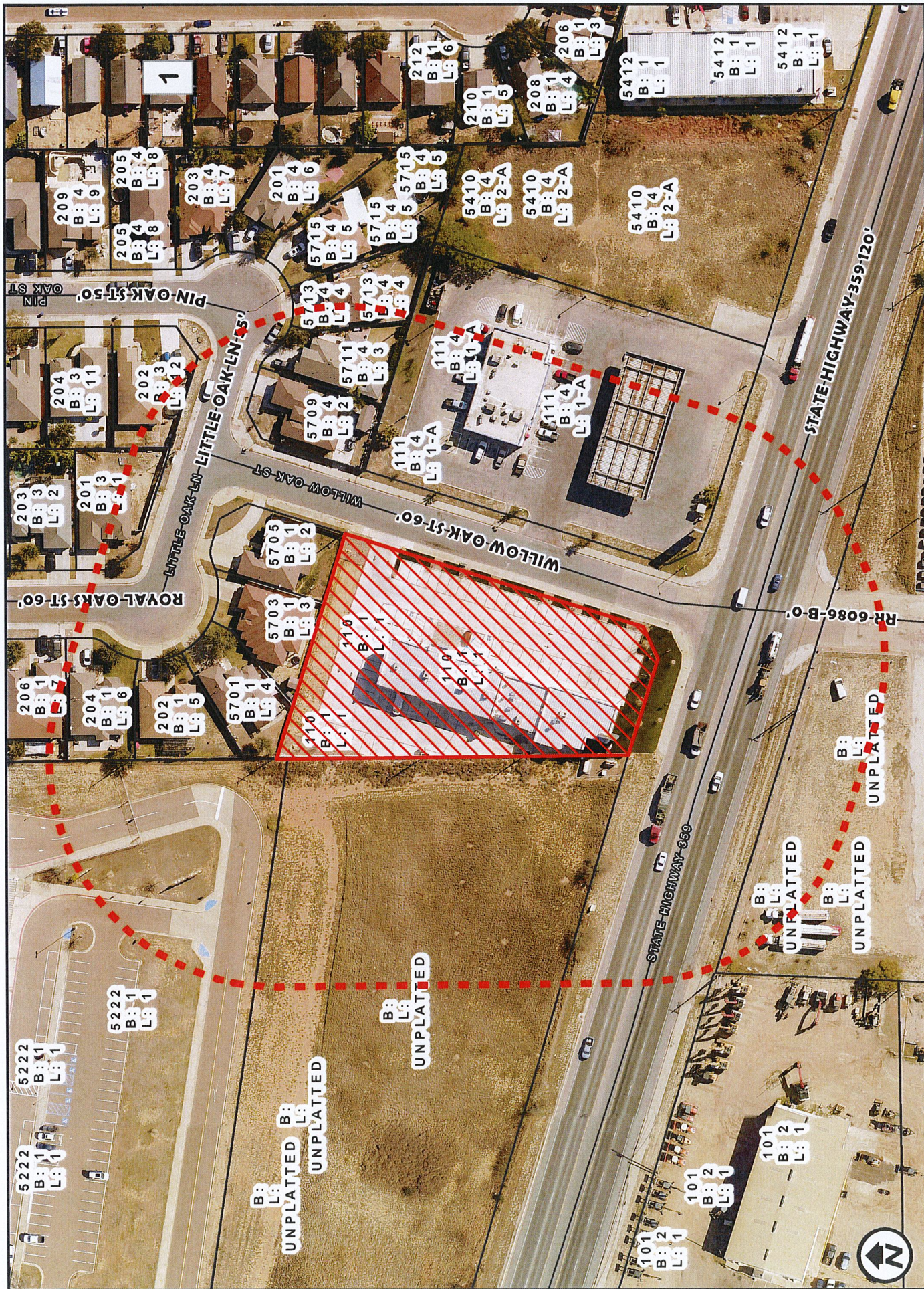
  
JOSE A. VALDEZ  
CITY SECRETARY



APPROVED AS TO FORM:

  
DAVID H. ARREDONDO  
ASSISTANT CITY ATTORNEY





APPLICATION FOR

B-3 (COMMUNITY BUSINESS DISTRICT)

S.U.P.

ZC-57-2021

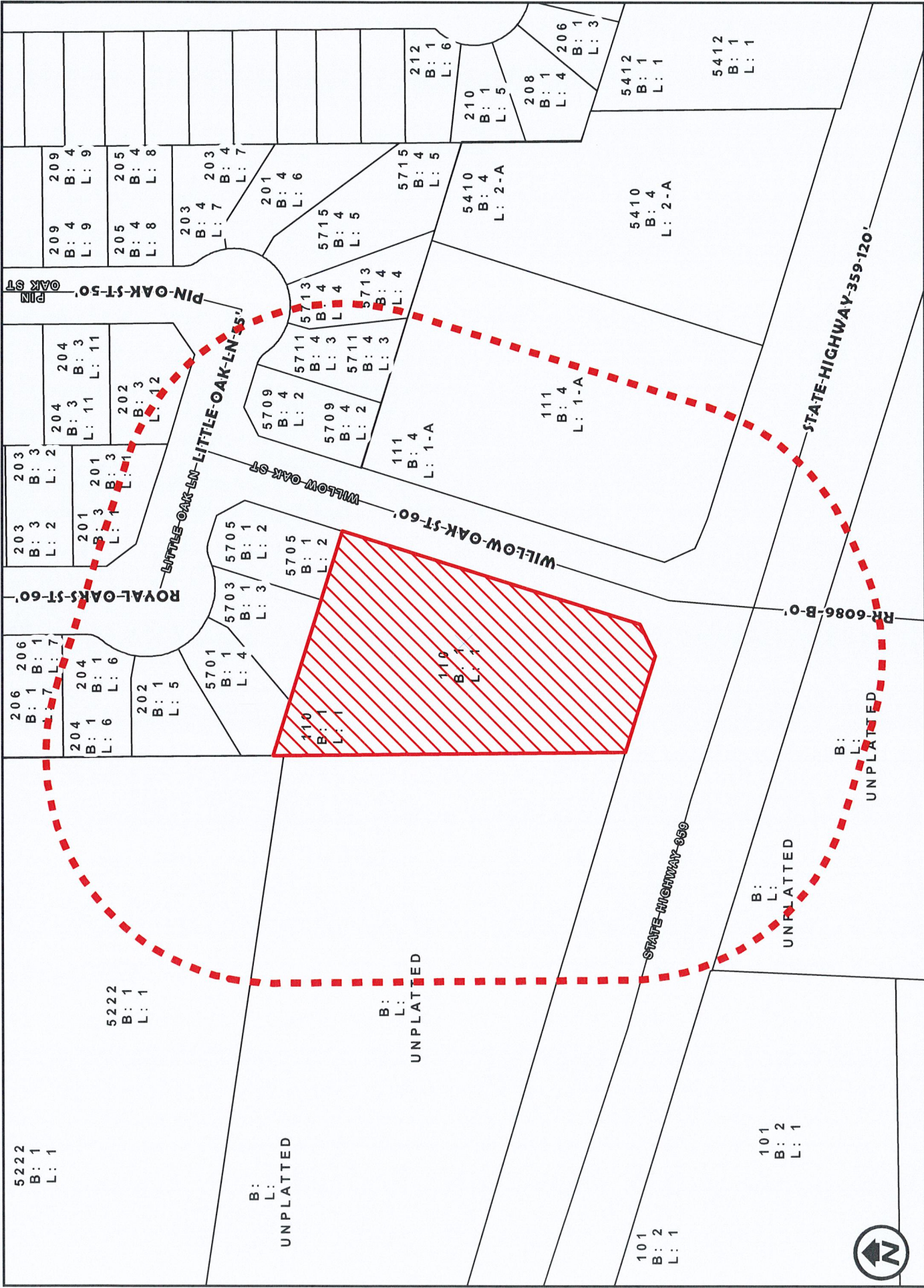
COUNCIL DISTRICT 2

110 WILLOW OAK ST. STE.3

AERIAL MAP

1 inch = 108 feet



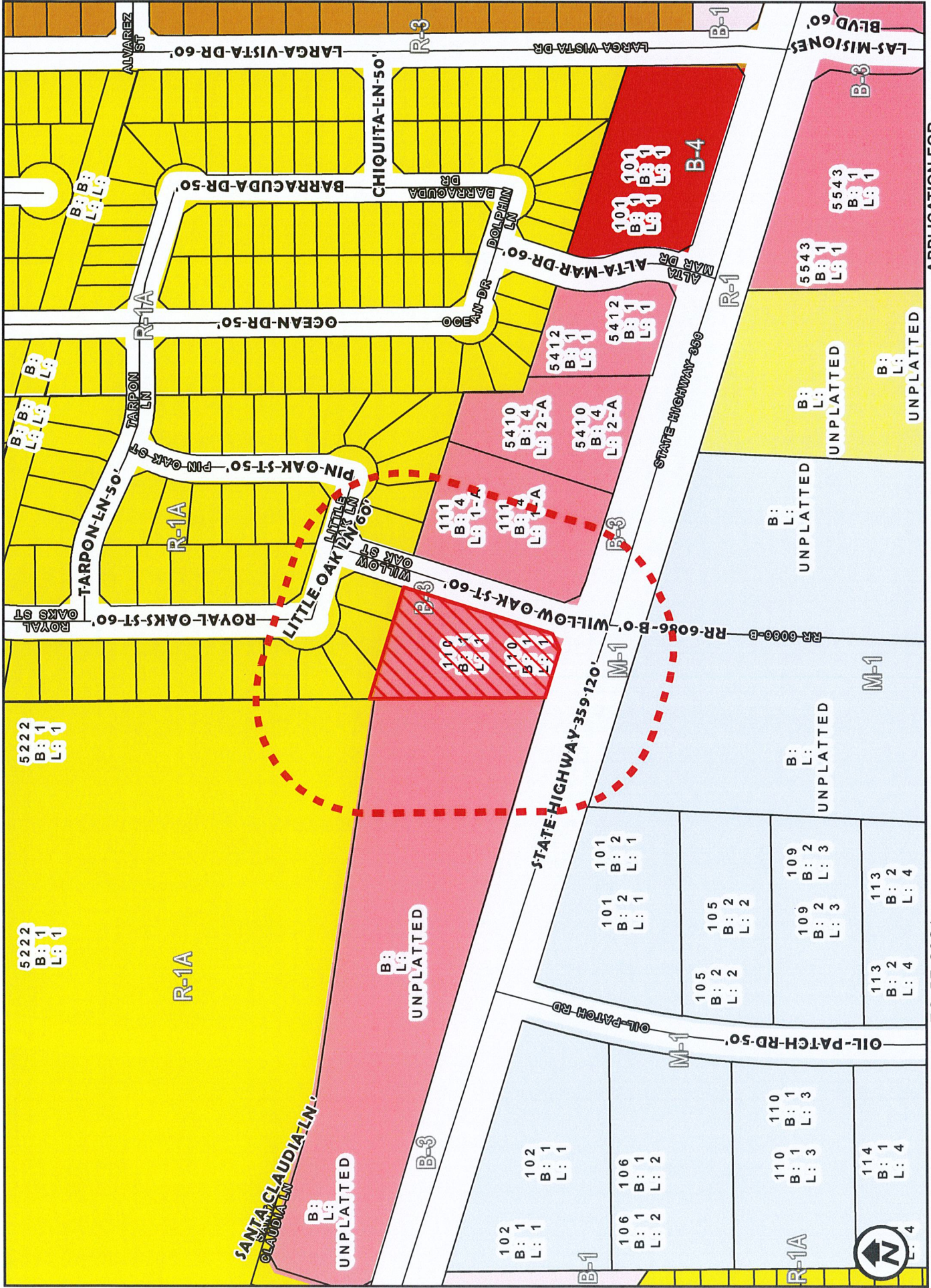


SURVEY MAP  
1 inch = 108 feet  
110 WILLOW OAK ST. STE.3

ZC-57-2021  
COUNCIL DISTRICT 2  
B-3 (COMMUNITY BUSINESS DISTRICT)  
S.U.P.

APPLICATION FOR





ZONING OVERVIEW  
1 inch = 217 feet

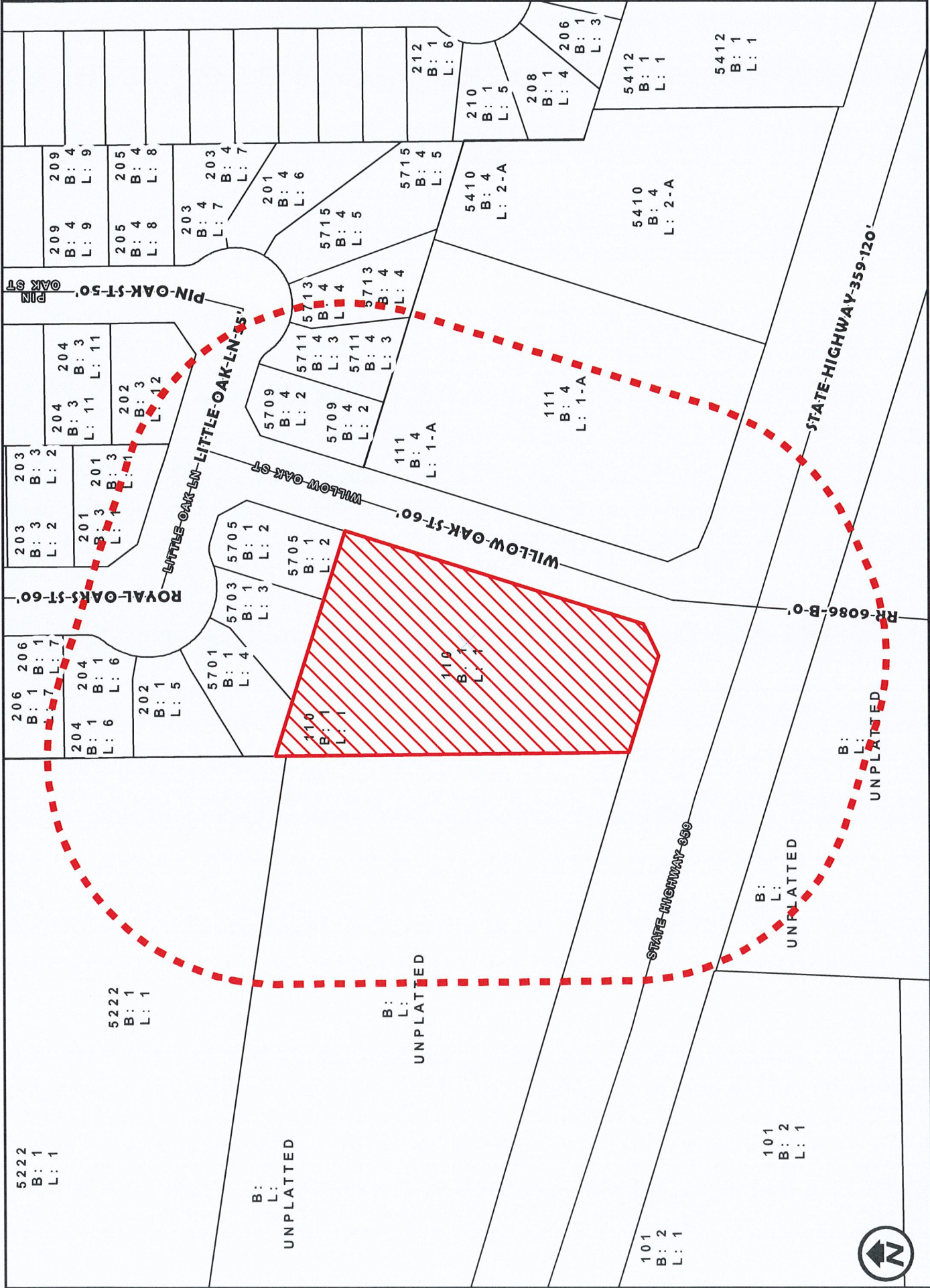
ZC-57-2021  
COUNCIL DISTRICT 2  
110 WILLOW OAK ST. STE.3

APPLICATION FOR  
B-3 (COMMUNITY BUSINESS DISTRICT)  
S.U.P.









200' NOTIFICATION  
1 inch = 108 feet

ZC-57-2021  
COUNCIL DISTRICT 2  
110 WILLOW OAK ST. STE.3

APPLICATION FOR  
B-3 (COMMUNITY BUSINESS DISTRICT)  
S.U.P.



### Narrative Description

Taco Mais was established in 2012 as a Mexican restaurant, since then we have been serving delicious tacos and other delicious food for the citizens of the City of Laredo and surrounding area. Everything at our restaurants is made to the highest quality standards using only the best ingredients.

There are 10 Taco Mais locations conveniently located all around the City of Laredo. In addition to serving delicious tacos, Taco Mais also offers Mexican gifts, toys, candy, collectibles, and souvenirs.

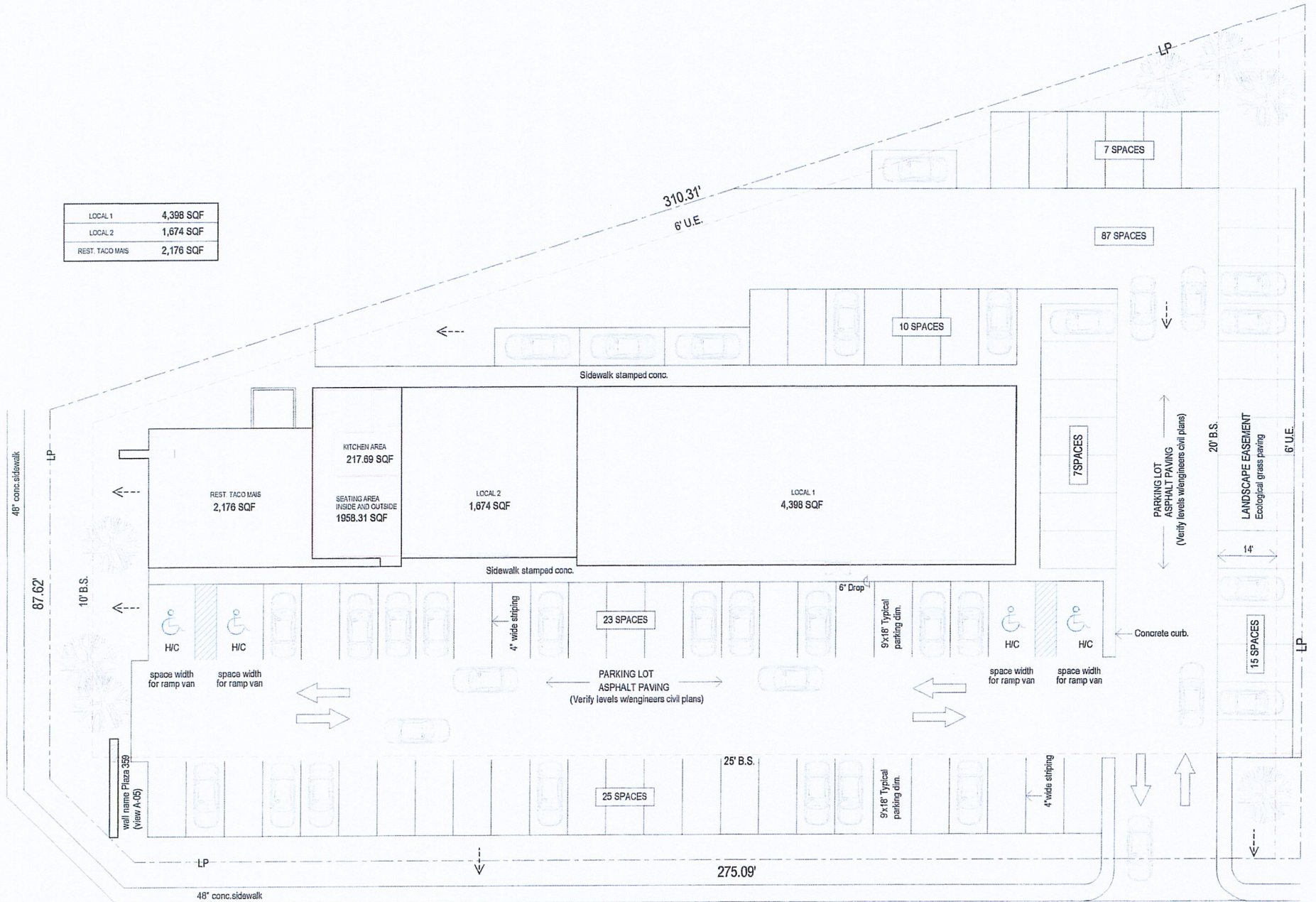
We will be opening a new location at 110 Willow Oak Suite 3, this location will have 7 employees and 1 vehicle provided to fulfill the needs of the location. Our hours of operation will be Monday – Sunday from 7:00 am to 10:00 pm. We are looking forward in obtaining the Special Use Permit in order to attract more customers to our location.

**Exhibit "B"**

**ZC-057-2021**



LOCAL 1	4,398 SQF
LOCAL 2	1,674 SQF
REST. TACO MAIS	2,176 SQF



WILLOW OAK ST.

Shows how lot will be drained



**City Council**

**Meeting Date:** 10/04/2021

**Initiated By:** Riazul Mia, Assistant City Manager

**Initiated By:** Lopez & Sons Invest., LLC, Owner; Glo TCM Inc. DBA Taco Mais, Applicant; Fernando Canseco, Representative

**Staff Source:** Orlando Navarro, Director of Planning

**SUBJECT**

**2021-O-189** Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit (SUP) for a restaurant serving alcohol on Lot 1, Block 1, Royal Oaks Subdivision, Phase 1, located, on 110 Willow Oak St.

**ZC-057-2021**

**District II**

**PREVIOUS COUNCIL ACTION**

This item was introduced at the City Council meeting of 9/20/2021.

**BACKGROUND**

**Council District:** II - The Honorable Vidal Rodriguez

**Proposed use:** Special Use Permit for Restaurant Serving Alcohol

**Site:** The site is occupied by a commercial building, known as Plaza 359.

**Surrounding land uses:** North of the property is a residential subdivision (Royal Oaks); to the west is a elementary school and a unplatted property, to the south are warehouses, and to the east is a Valero Gas Station.

**Comprehensive Plan:** The Future Land Use Map recognizes this designated as Light Commercial.

<https://www.cityoflaredo.com/LaredoPlanning/wp-content/uploads/2021/03/viva-laredo-city-of-laredo-comprehensive-plan.pdf#page=39> .See also Land Use Patters Pages 1.14 through 1.16

**Transportation Plan:** The Long Range Thoroughfare Plan does identify State Highway 359 but it does not identify with Willow Oak St.

[http://www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan\\_2021.02.11.pdf](http://www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf)

**Letters sent to surrounding property owners:** 18    **In Favor:** 0    **Opposed:** 0

**COMMITTEE RECOMMENDATION**

The Planning and Zoning Commission is a 6 to 0 vote recommended approval of the Special Use Permit.

**STAFF RECOMMENDATION**

A special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is an overlay the existing zoning designation and can be limited in many respects for example: hours of operation, fencing, setbacks, etc. A Special Use Permit is required for those restaurants located in R-O, B-1, or B-3 districts that wish to serve alcoholic beverages. The property is in a B-3 (Community Business District) Zoning district.

The staff **supports** the issuance of the proposed SUP at this location for the following reason:

1. While the proposed use is not in conformance with the Comprehensive Plan's Neighborhood Mixed Use designation, the proposed used is not anticipated to negatively affect the surrounding area.
2. Applicant complies with the Land Development Code Parking requirements, 24-78.3 Parking Space Formulas (2) Commercial/Services (v v) Restaurant (1) Sit down restaurants - Twelve (12) parking spaces per 1,000 sq. ft. Site is 2,176 Sq. ft total (including kitchen area) and seating area is only 1,958.31 Sq. ft. thus they will use 24 parking spaces plus 7 parking spaces for employees and 1 designated area for restaurant vehicle to fulfill phone orders. The entire Plaza has 87 onsite parking spaces, there fore it will have a remaining of 55 parking spaces.

**Site Analysis:**

Restaurants seating are total sq. ft. 1,958.31 = 24 parking spaces minimum Total parking spaces in the plaza 87 - 24 parking = 63 parking spaces left Restaurant needs for the staff 8 parking spaces (7 for employees and 1 parking for the company vehicle) 63- 8 = 55 parking spaces left.

3. The proposed location meets the minimum distance requirement of 300 feet between the proposed use and the nearest residential district, use, park, school or church as per Land Development Code Section 24.93.7. Approximately over 400 ft between the proposed use and the nearest residential zone/district.

Staff suggest the following conditions:

1. The Special Use permit is issued to Fernando Canseco applicant and Lopez & Sons Invest., LLC owner for the Taco Mais Restaurant, and is non- transferable.



2. The Special Use Permit is restricted to Suite 3 and limited to 2,178 sf interior spaces as per site plan "Exhibit A", which is made part hereof for all purposes.
3. 24-78.3 Parking Space Formulas (2) Commercial/Services (v v) Restaurant (1) Sit down restaurants - Twelve (12) parking spaces per 1,000 sq. ft. Restaurant seating area is 1,958.31 therefore it will need 24 spaces minimum. Plus, the accommodation for 7 for employees and 1 parking for the company vehicle adding up to a total of 32 parking spaces.
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17. The restaurant shall maintain and comply with the BLUE Handgun Sign regulations as per TABC (not to exceed the required alcohol sales percentage).
18. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.
19. Owner shall comply with; Building, Health, Life, and Safety and all applicable codes and regulations as required.

**Is this change contrary to the established land use pattern?**

No. The predominant uses along the State Highway 359 are commercial and industrial in nature.

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

No. The highway has various commercial properties in proximity to residential districts.

**Will change adversely influence living conditions in the neighborhood?**

No, the business that is requesting the SUP is an existing restaurant.

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

No. The request for a SUP is necessary (if approved) for the business to sell alcohol.

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**Attachments**

ORDINANCE

Maps

Narrative

Site Plan

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10/7/21

**FLOW TEXTURA, COMM. RESID.**  
**BAJOS PRESUPUESTOS.**  
**PEDRO (956) 401-3196**



**CLASSIFIEDS**  
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**Insurance Claim Expert** **956-473-9646**

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**FREE ESTIMATES**

Legals/Public Notices

Legals/Public Notices

**ORDINANCE NO. 2021-O-191**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 2, BLOCK 1865, EASTERN DIVISION, LOCATED AT 3003 MARKET STREET, FROM R-3 (MIXED RESIDENTIAL DISTRICT) TO B-1 (LIMITED BUSINESS DISTRICT) PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.  
L-20

**ORDINANCE NO. 2021-O-189**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A SPECIAL USE PERMIT FOR A RESTAURANT SERVING ALCOHOL ON LOT 1, BLOCK 1, ROYAL OAKS SUBDIVISION, PHASE 1, LOCATED, ON 110 WILLOW OAK STREET, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.  
L-18

**ORDINANCE NO. 2021-O-188**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING OF APPROXIMATELY 8.20 ACRE MORE OR LESS, SITUATED IN PORCION 35, ABSTRACT 546, JOSE M. DIAS, ORIGINAL GRANTEE, AND OUT OF A 358.54 ACRE TRACT AS CONVEYED AND RECORDED PER WARRANTY DEED DATED JUNE 03, 2015, VOLUME 3801, PAGE 143-147, WEBB COUNTY OFFICIAL PUBLIC RECORDS, LOCATED SOUTH OF LOMAS DEL SUR BOULEVARD, FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1A (SINGLE FAMILY REDUCED AREA DISTRICT), PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.  
L-17

**ORDINANCE NO. 2021-O-190**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING OF APPROXIMATELY 2.343 ACRE MORE OR LESS, SITUATED IN PORCION 32, ABSTRACT 296, ANTONIO TREVINO, ORIGINAL GRANTEE, TRACT BEING OUT OF AQUERO MANAGEMENT II, LLC, TRACT I AS DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 4389, PAGE 636-646, OF THE DEED RECORDS OF WEBB COUNTY, TEXAS, LOCATED EAST OF US HIGHWAY 83 AND SOUTH OF OBSIDIAN BOULEVARD, FROM R-1A (SINGLE FAMILY REDUCED AREA DISTRICT) TO R-2 (MULTIFAMILY RESIDENTIAL DISTRICT), PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.  
L-19

Legals/Public Notices

Legals/Public Notices

**ORDINANCE NO. 2021-O-194**

AMENDING THE ZONING ORDINANCE MAP OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT (CUP) FOR AN AMUSEMENT REDEMPTION MACHINE ESTABLISHMENT, ON LOT 9, BLOCK 9 COUNTRY CLUB COMMERCIAL SUBDIVISION, LOCATED AT 4302 E. SAUNDERS STREET, SUITES 1 AND 2 ONLY, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.  
L-23

**MTZ Construction Inc.**

**Hiring**  
**Secretary**

**For more information call**  
**(956)723-9339**

**MTZ Construction Inc.**

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• **Heavy Equipment Operators**  
• **Truck Drivers**

**For more information call**  
**(956)723-9339**

 **Zuñiga Logistics**

**Zuñiga Logistics, LTD,**

Personal para el Area de bodega de exportacion con experiencia en manejo de montacargas.  
Favor de presentarse con solicitud elaborada en 12013 Sara Rd. Laredo, TX 78045 con Santiago Gonzalez