

City Council-Regular Meeting

Date: 08/05/2024

Initiated By: Jose A. Valdez Jr., Assistant City Manager/City Secretary

Initiated By: Wasfi Alkanaani, Owner

Staff Source: Vanessa Guerra, Interim Planning Director

SUBJECT

2024-O-145 An ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for Outside Storage on Lot 2, Block 1, DCAF Mines Road Plat, located at 16105 FM 1472.

ZC-052-2024

District VIII

PREVIOUS COUNCIL ACTION

On July 22, 2024, the City Council made a motion to introduce the item.

BACKGROUND

Council District: VII - Cm. Vanessa Perez

Proposed use: Office identified as an online retail store with onsite shipping containers (outside storage).

*Please note the shipping containers initiates the conditional use permit for outside storage.

Site: The site is currently occupied with a modular structure (office) and shipping containers.

Surrounding land uses: To the north of the site is FM 1472 (Mines Road) and vacant undeveloped land. To the east of the site is Game Creek Boulevard and vacant undeveloped land. To the south of the site is Spearhead Lane, Antler Crossing Avenue, Indian River Avenue, Wild Flower Avenue, and mixed residential uses. To the west of the site is vacant undeveloped land.

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

<https://www.cityoflaredo.com/LaredoPlanning/wp-content/uploads/2021/03/viva-laredo-city-of-laredo-comprehensive-plan.pdf#page=39>

Transportation Plan: The Long Range Thoroughfare Plan identifies FM 1472 as an Expressway, but does not identify Spearhead Lane.

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

Letters sent to surrounding property owners: 27

In Favor: 0

Opposed: 0

COMMITTEE RECOMMENDATION

The Planning & Zoning Commission in an 8 to 0 vote recommended **approval** of the conditional use permit.

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 sections 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 **supports** the conditional use permit for the following reasons:

1. The proposed use is appropriate at this location since it is located off of FM 1472, which is identified as an Expressway on the Thoroughfare Plan.
2. The proposed use meets the required parking requirement as per the Laredo Land Development Code Section 27.78.3.
 - Total parking spaces required for the proposed use = 3 parking spaces
 - Actual amount identified on site plan = 8 parking spaces
 - Therefore, the proposed site meets the required parking spaces since there is an additional 5 parking spaces.
3. There are similar and more intense uses in the surrounding area.
 - To the west of the site is Gallegos Trailers, which has outside storage and tractor trailer parking.
4. The proposed use is not anticipated to negatively impact the surrounding area or neighborhood.

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 24 hours a day, seven (7) days a week (24/7).
3. All shipping containers may not be inside the building setbacks.
4. The repair, parking, and storage of Truck/Heavy Equipment/Recreational Vehicles (18 wheelers) shall be prohibited.
5. Storage shall be limited to truck (18 wheelers) parts as per narrative, "Exhibit B".
6. No hazardous materials shall be stored in the facility. Hazardous occupancy and the storage of hazardous materials shall be prohibited on the premises. The determination of a hazardous occupancy or material shall be made by the Fire Chief as per the Laredo Land Development Code, Section 24.74.3(d). Hazardous materials shall be defined as stated in the City of Laredo Code of Ordinances, Section 33-20.
7. Vehicle entrance access shall be limited to FM 1472 (Mines Road). Access along Spearhead Lane shall be prohibited.
8. The establishment shall be kept in a sanitary condition.
9. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
10. Landscaping shall be provided in accordance with the City of Laredo Land Development Code.
11. 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.
12. The required opaque or wall fence shall comply with the Laredo Land Development Code, Section 24.79. Plywood, sheet metal, and corrugated steel fencing is prohibited.
13. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
14. Signage shall be consistent with the City's Sign Ordinance.
15. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.

16. 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. Any outdoor music shall be at the decibel levels stated in the City of Laredo Code of Ordinances, Article IX, Noise Nuisances.
17. 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.
18. 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.
19. The proposed use shall undergo an annual Fire Inspection.
20. 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.
21. Owner shall comply with Building, Health, Safety, Fire, Environmental, and all applicable codes and regulations as required.

Staff **supports** the application.

Is this change contrary to the established land use pattern?

No. There are more intense uses within the vicinity of the 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 conditional use permit is not anticipated to negatively impact the surrounding neighborhood and area.

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

Yes. The existing zone does not allow for outside storage as intended by the applicant.

Attachments

Maps
Narrative
Site Plan
Zone Change Signage
Final Ordinance
