

City Council-Regular Meeting

Date: 08/17/2026

Initiated By: Ramon Chavez, Assistant City Manager

Initiated By: Lydia Benavides, Owner; Ricardo Benavides, Jr., Applicant/Representative

Staff Source: Vanessa Guerra, 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 with outdoor on-premise alcohol consumption on Block 854-A (Suite 19, 912 square feet) and Lots 1, 2, 7, and 8, Block 757-A, Eastern Division, located at 4501 and 4500 McPherson Road and 1302 East Taylor Street.

The Planning and Zoning Commission recommended approval of the proposed conditional use permit with the following modifications to the conditions:

1. Amend Condition No. 5 to replace the **seven-foot masonry wall** with a **seven-foot opaque wall**.
2. Eliminate Condition No. 6.

Staff supports the proposed conditional use permit for an indoor bar located within Suite 19 (912 square feet). However, staff does not support the proposed conditional use permit for outdoor on-premise alcohol consumption.

ZC-064-2026

District V

PREVIOUS COUNCIL ACTION

On November 6, 1995, the City Council made a motion to approve a special use permit authorizing a mobile home park.

BACKGROUND

Council District: V - Cm. Ruben Gutierrez, Jr.

Proposed use: The proposed use is for a bar with outdoor on-premise alcohol consumption.

Minimum Zoning District Required for Proposed Use: B-4 (Highway Commercial District) zoning district.

Current Zoning District: The site is currently zoned as a B-3 (Community Business District) zoning district.

Site: The site is currently occupied by a commercial plaza that includes: Antojitos Enchilados, Titan Insurance, Organic Man Coffee (Trike), Star Family Haircut, Westgate Plaza Office, Pretty Sweet, Hair Company, Hello Kitty Laredo, Indoor Garden, Supreme Nutrition, and Cakes by Anita and vacant land.

Surrounding land uses: To the north of the site is a creek, residential uses (duplexes), and Teakwood Lane. To the east of the site is Taylor Street and primarily residential uses (apartment complex and single-family uses). To the south of the site is Taylor Street, North Stone Avenue, residential uses (apartment complex and single-family residential uses), and a vacant commercial plaza and Watermill Express. To the west of the site is McPherson Road, Taylor Street, and a commercial plaza (Cotulla Plaza) that includes: Super Bonus, FITness, Paradise Salad, Dona Salsa, and Bouncy Land.

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 McPherson Road as a Principal Arterial and identifies East Taylor Street as a Local Street.
www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf

Letters sent to surrounding property owners: 25

Inside 200 feet:

In Favor: 0 Opposed: 0

Outside 200 feet:

In Favor: 0 Opposed: 0

COMMITTEE RECOMMENDATION

The Planning and Zoning Commission in a 6 to 0 vote recommended approval of the conditional use permit with the following conditions:

1. Amend Condition #5 to replace with seven-foot opaque wall instead of seven-foot masonry wall.
2. Eliminate Condition #6.

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. The property is zoned a B-3 (Community Business District) zoning district.

Staff supports the proposed conditional use permit for an indoor bar located in Suite 19 (912 square feet) for the following reasons:

1. The proposed indoor bar confines the sale and consumption of alcoholic beverages within a wholly enclosed building, thereby minimizing the potential for outdoor noise and other nuisance impacts on surrounding properties.
2. Limiting the proposed use to the interior of the building minimizes potential impacts to the surrounding residential uses.

However, staff does not support the proposed conditional use permit for outdoor on-premise alcohol consumption for the following reasons:

1. The proposed outdoor on-premise alcohol consumption area is not compatible with the surrounding residential uses located to the north, east, and south of the site due to the outdoor operational characteristics of the proposed beer garden, specifically the outdoor music.
2. The proposed outdoor beer garden has the potential to create nuisance impacts on the surrounding residential properties due to the outdoor patron activity, outdoor music, and other associated noise.

Notice to the owner/applicant:

1. The approval of the conditional use permit does not guarantee the issuance of the building permit and requires full compliance with all applicable municipal codes and regulations.

If approved, Staff suggests the following conditions:

1. The Conditional Use Permit is issued to Benny's Beer Garden, and may only be transferred upon application to and with the express permission of the City Council.
2. The conditional use permit of a bar shall only be located within Suite 19 (912 square feet) and the outdoor on-premise alcohol consumption shall be located within the area identified on the site plan (Exhibit A) measuring approximately 130 feet x 110 feet x 130 feet x 130 feet. Any expansion, relocation, or modification of the bar area, outdoor beer garden, outdoor alcohol consumption area, or site layout shown on Exhibit A shall require review and approval through an amended conditional use permit (CUP).
3. The hours and days of operation shall be from Thursday and Friday from 6:00 p.m. to 12:00 a.m. (midnight), Saturday from 12:00 p.m. (noon) to 12:00 a.m. (midnight), and Sunday from 12:00 p.m. (noon) to 10:00 p.m.
4. The sale of alcoholic beverages shall be limited to the indoor bar located within Suite 19 (912 square feet). No outdoor alcohol sales, service stations, temporary bars, or alcohol sales from food trucks or any other vendor shall be permitted.
5. Outdoor activities within the beer garden shall be limited to the consumption of alcoholic beverages purchased from the indoor bar and the purchase and consumption of food. Outdoor alcohol consumption shall be limited to the beer garden area measuring approximately 130 feet x 110 feet x 130 feet x 130 feet, as shown on the site plan (Exhibit A).
6. The outdoor beer garden shall be enclosed by a minimum seven-foot masonry wall, measuring approximately 130 feet x 110 feet x 130 feet x 130 feet, as shown on the site plan (Exhibit A).
7. No live outdoor entertainment, outdoor televisions, or outdoor music/speakers shall be permitted.
8. There shall not be any amplified music, use of any amplified sound system, excessively loud generators, and/or any moving or flashing lights. The applicant must comply with all city noise ordinances and all nuisance provisions of the City of Laredo Code of Ordinances.
9. The sale and consumption of alcoholic beverages shall comply with all applicable regulations of the Texas Alcoholic Beverage Commission (TABC) and all other applicable federal, state, and local regulations.
10. The holder of the CUP shall maintain all licenses and permits required by TABC. Failure to maintain such licenses and permits may constitute grounds for review or revocation of the CUP.
11. Alcoholic beverage sold for on-site consumption shall remain within the approved premises and shall not be removed from the property in an open container.
12. Appropriate signage shall be posted at all exits advising customers that open containers of alcoholic beverages may not be removed from the premises and that the sale and consumption of alcoholic beverages must comply with applicable state law and TABC regulations.
13. The outdoor beer garden shall not be rented, leased, or utilized as an outdoor event venue for concerts, festivals, or other special events unless separately approved by the City of Laredo.

14. The applicant shall provide sufficient on-site supervision during all hours of outdoor alcohol consumption to ensure compliance with the conditions of this CUP.
15. Patrons are prohibited from bringing in their own alcoholic beverages.
16. Air inflatables, balloons, flags, and banners used for advertising shall be prohibited.
17. Restroom facilities shall comply with all applicable municipal codes. Porta potties shall be prohibited.
18. Lighting of the property shall be screened to avoid adverse impact on adjacent residential neighborhoods. The property owner and/or operator shall maintain adequate, downward-directed lighting to minimize impacts to adjacent properties and shall not be aimed towards any residents.
19. Landscaping shall be provided and maintained for the complete duration in accordance with the City of Laredo Land Development Code.
20. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
21. Signage shall be consistent with the City's Sign Ordinance.
22. On-site parking shall be provided in accordance with the City of Laredo Land Development Code. All areas used for parking shall be paved and must comply with all applicable municipal codes.
23. 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.
24. 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.
25. The indoor bar located in Suite 19 (912 square feet) shall undergo an annual Fire Inspection.
26. 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.
27. Owner shall comply with Building, Health, Safety, Fire, Environmental, and all applicable codes and regulations as required.

IMPACT ANALYSIS

Is this change contrary to the established land use pattern?

Yes. The surrounding land uses are offices, bakeries, hair salons, retail shops, and primarily residential uses.

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

No. The proposed site abuts B-4 zoning to the west.

Will change adversely influence living conditions in the neighborhood?

Yes. It is anticipated to have a negative impact in the surrounding neighborhood since the proposed use

of a bar may create a noise nuisance to the existing residential neighborhood.

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

Yes. The existing B-3 does not allow for a bar with outdoor on-premise alcohol consumption as intended by the applicant.

Attachments:

Comp Plan Alignment

Maps

Narrative

Site Plan

Tenant List

Zone Change Signage

Draft Ordinance
