

ORDINANCE NO. 96-0-079

AUTHORIZING THE ISSUANCE OF A
~~CONDITIONAL USE PERMIT~~ FOR AUTO
SALES AND AUTO FRAME REPAIR ON
LOT 1 AND THE SOUTH 39.6 FEET OF
LOT 2, BLOCK 201, EASTERN DIVISION,
LOCATED ON SOUTH MEADOW AVE. AND
SANTA CLARA ST.; PROVIDING FOR
PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the owner of Lot 1 and the south 39.6 feet of Lot 2, Block 201, Eastern Division, located on South Meadow Ave at Santa Clara St. has requested a Conditional Use Permit for jewelry sales and repair; and,

WHEREAS, notice of the Conditional Use Permit request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the Planning and Zoning Commission on this matter; and,

WHEREAS, the required written notices were sent to surrounding property owners at least fifteen (15) days before the public hearing held before the Planning and Zoning Commission on May 16, 1996; and,

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

WHEREAS, the City Council has held a public hearing on May 28, 1996 on the request and finds the proposed Special Use Permit is appropriate and consistent with the General Plan of the City of Laredo.

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

Section 1: A Conditional Use Permit is granted for auto sales and auto frame repair on lot 1, and the south 39.6 feet of Lot 2, Block 201, Eastern Division, located on South Meadow Ave. and Santa Clara St.

Section 2: The Conditional Use Permit is restricted to the site plan, Exhibit "A", which is made a part hereof for all purposes.

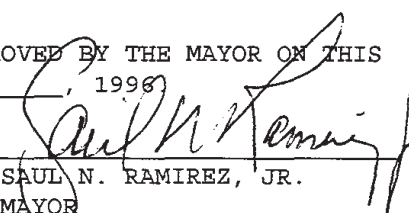
Section 3: The Conditional Use Permit is further restricted to the following provisions recommended by the Planning and Zoning Commission and herewith adopted by the City Council:

- 1) The Conditional Use Permit is restricted to this site and auto sales and auto frame repair.
- 2) The Conditional Use Permit is non-transferable.
- 3) An opaque fence of not less than seven (7) feet in height shall be required as shown on the site plan.

Section 4: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 5: This ordinance shall become effective as and from the date of publication specified in Section 4.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
THE 3RD DAY OF JUNE, 1998


SAUL N. RAMIREZ, JR.
MAYOR

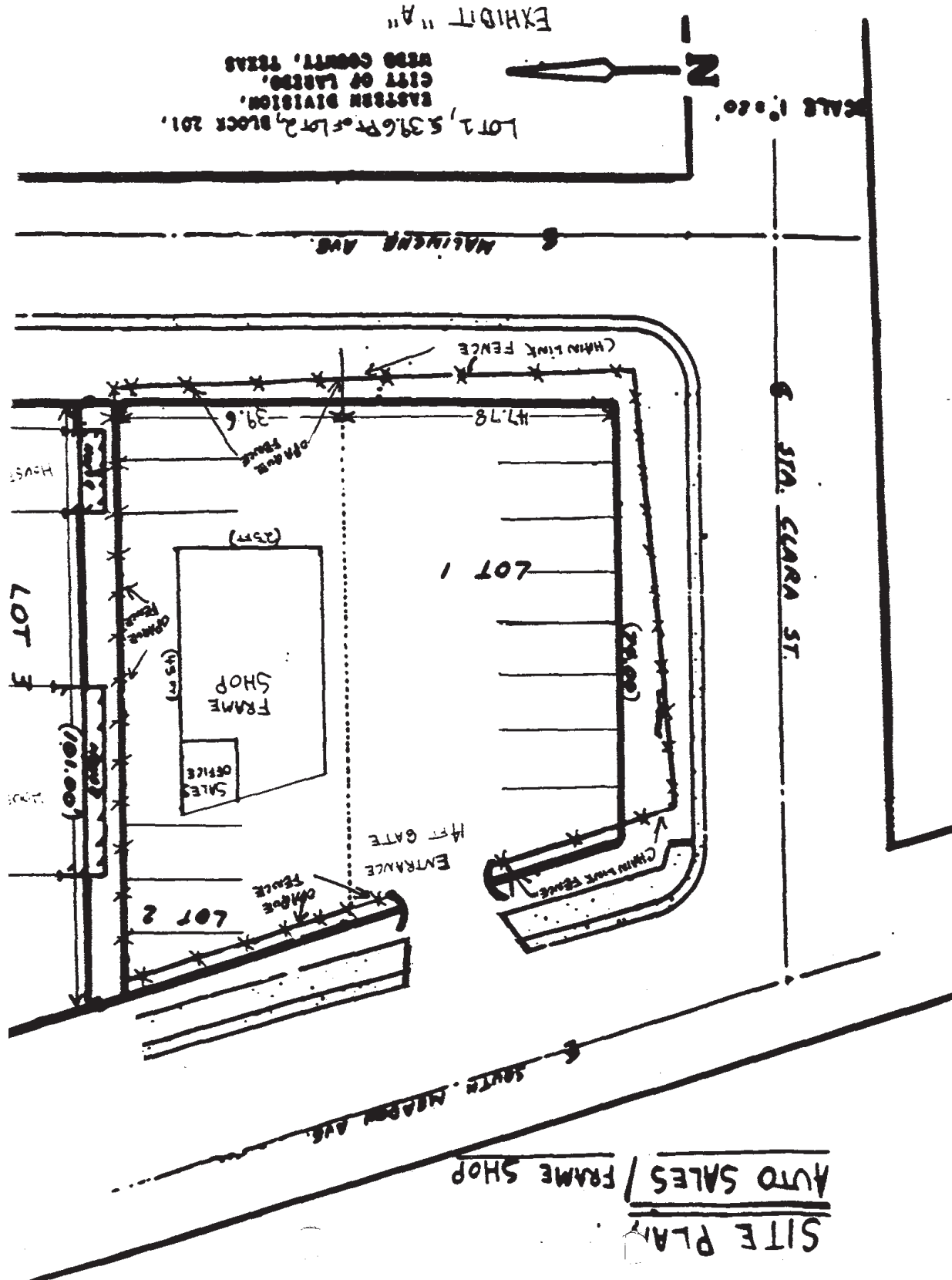
ATTEST:


GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:


ERNESTO SOSA
CITY ATTORNEY

SITE PLAN AUTO SALES / FRAME SHOP

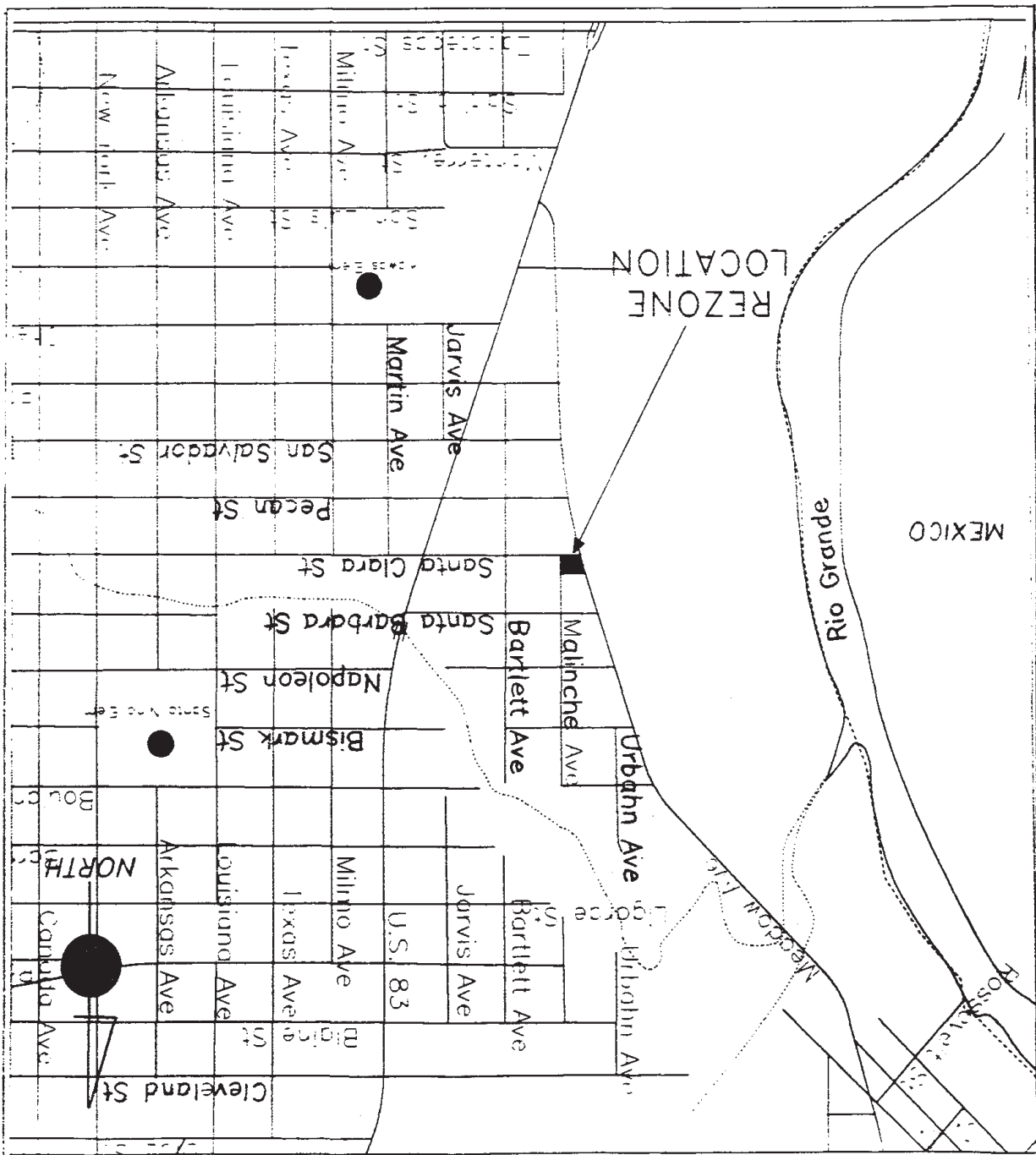


LOT 1, 5.396 AC. OF LOT 2, BLOCK 201,
 EASTERN DIVISION,
 CITY OF LARDO,
 WARD COUNTY, TEXAS

EXHIBIT "A"

SCALE 1"=40'





ZONE CASE: ZC-24-96

LOCATION: Meadow Ave, South of Santa Clara St.

(CONDITIONAL USE PERMIT)

REQUEST FOR A C.U.P.

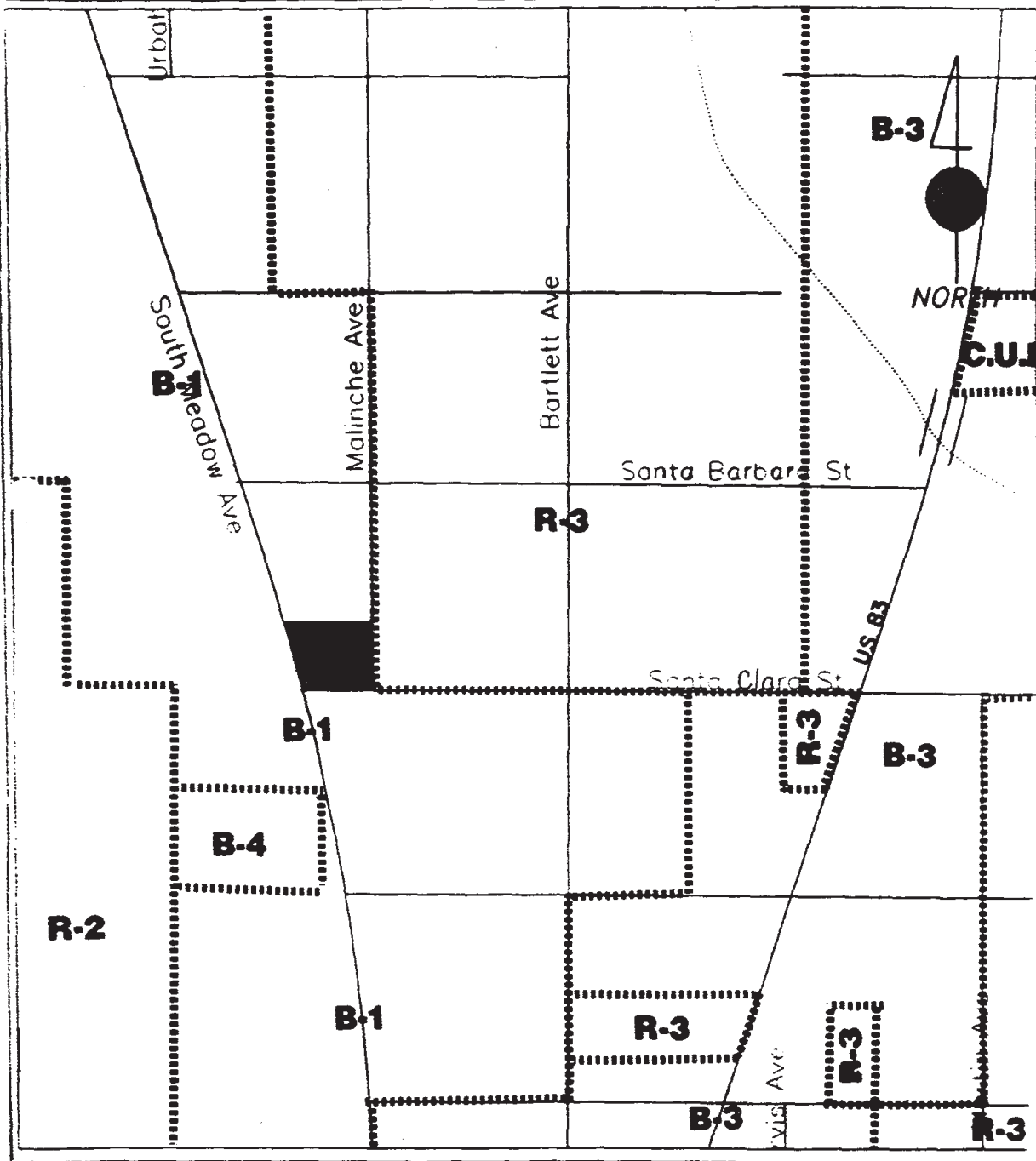
Prepared By: F.M.

**REQUEST FOR A C.U.P.
(CONDITIONAL USE PERMIT)**

LOCATION: Meadow Ave, South at Santa Clara St.

ZONE CASE: ZC-24-96

Prepared By F.M.
City of Laredo
Planning Department



COUNCIL COMMUNICATION

BACKGROUND

COMPREHENSIVE PLAN: The Future Land Use Map recognizes this area as Low Density Residential.

TRANSPORTATION PLAN: The Long Range Thoroughfare Plan recognizes Meadow Ave. as a Major Collector.

IMPACT ANALYSIS

A Conditional Use Permit is used for those type uses which warrant individual attention on a case by case basis and should not be categorized into a specific zoning district. A Conditional Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

While there was no public opposition to the zone change, concern was expressed by the Commission about the number of businesses of this type which open and close leaving a vacant tract with a zoning designation which may allow uses which may be detrimental to the surrounding uses. A Conditional Use Permit at this location will address this concern while allowing the applicant to open his business.

The Conditional Use Permit will be none transferable and restricted to the auto sales and auto frame repair. No other commercial uses will be allowed. Adequate off-street parking is provided. A site plan is attached and will be made a part of the C.U.P.

COUNCIL COMMUNICATION

DATE: 5/28/96	SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Authorizing the issuance of a Conditional Use Permit for auto sales and auto frame repair on Lot 1 and the south 39.6 feet of Lot 2, Block 201, Eastern Division, located on S. Meadow Ave. and Santa Clara St. ZC-24-96	
INITIATED BY: Samuel Cantu 3504 S. Louisiana Laredo, Texas	STAFF SOURCE: Marina Sukup, AICP, Director Planning & Building Services	
PRIOR ACTION: None		
ACTION PROPOSED: Public hearing and introduction of an ordinance authorizing the issuance of a Conditional Use Permit for auto sales and auto frame repair.		
<div style="text-align: right;">COUNCIL DISTRICT: I</div> BACKGROUND PROPOSED USE: Auto sales and auto frame shop. SITE: This site is currently vacant. SURROUNDING LAND USE: North of the site are three single family residences and a auto repair shop. North of Sta. Clara St. are more single family homes and another auto repair shop which is used mainly at night and on weekends. East of site is a auto repair and muffler repair shop. The remainder of the area east and southeast of the site is a mix of single family residences, multi-family units, mobile homes and vacant lots. South of the site, on the east side of the intersection of S. Meadow Ave. and Sta. Clara St. and the dead end of Malinche Ave. is a single family residence. Southwest, across S. Meadow Ave. is R & R Materials Co. West of the site is a mix of single family residences on large lots and vacant tracts.		
LETTERS: 24 (For zone change) In Favor: 2 Opposed: 0		
RECOMMENDATION: P & Z COMMISSION The P & Z Commission, in a 6 to 0 vote, recommended <u>approval</u> of the Conditional Use Permit.	RECOMMENDATION: STAFF Staff <u>supports</u> the proposed Conditional Use Permit.	

COUNCIL COMMUNICATION

BACKGROUND

COMPREHENSIVE PLAN: The Future Land Use Map recognizes this area as Low Density Residential.

TRANSPORTATION PLAN: The Long Range Thoroughfare Plan recognizes Meadow Ave. as a Major Collector.

IMPACT ANALYSIS

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The Conditional Use Permit will be none transferable and restricted to the auto sales and auto frame repair. No other commercial uses will be allowed. Adequate off-street parking is provided. A site plan is attached and will be made a part of the C.U.P.

ORDINANCE NO. 96-0-

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WHEREAS, the required written notices were sent to surrounding property owners at least fifteen (15) days before the public hearing held before the Planning and Zoning Commission on May 16, 1996; and,

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

WHEREAS, the City Council has held a public hearing on May 28, 1996 on the request and finds the proposed Special Use Permit is appropriate and consistent with the General Plan of the City of Laredo.

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Section 2: The Conditional Use Permit is restricted to the site plan, Exhibit "A", which is made a part hereof for all purposes.

Section 3: The Conditional Use Permit is further restricted to the following provisions recommended by the Planning and Zoning Commission and herewith adopted by the City Council:

1) The Conditional Use Permit is restricted to this site and auto sales and auto frame repair.

2) The Conditional Use Permit is non-transferable.

3) An opaque fence of not less than seven (7) feet in height shall be required to enclose the north 39.6 feet of Lot 2 as shown on the site plan.

Section 4: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 5: This ordinance shall become effective as and from the date of publication specified in Section 4.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS
THE _____ DAY OF _____, 1996.

SAUL N. RAMIREZ, JR.
MAYOR

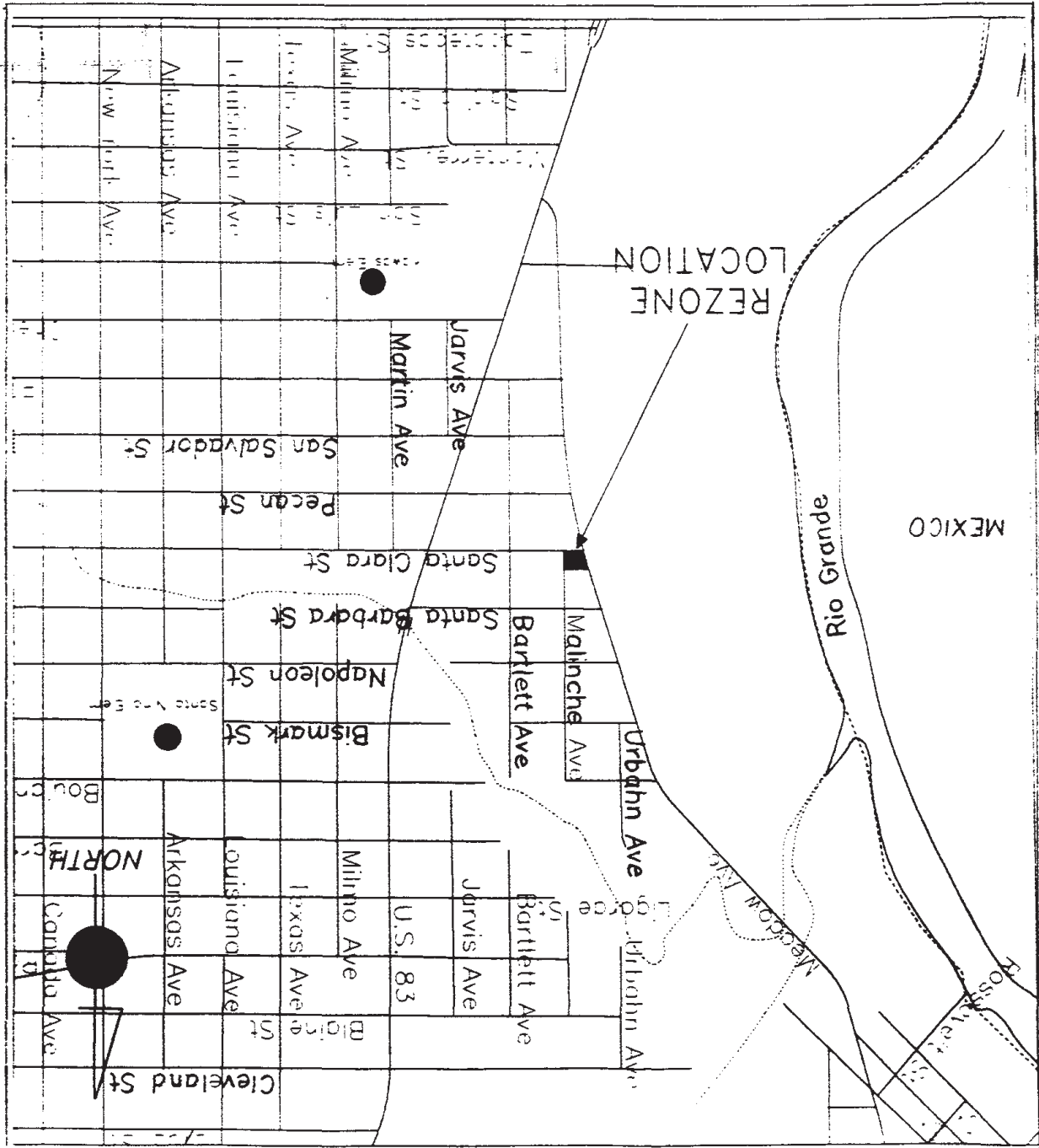
ATTEST:

GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:



FAUSTO SOSA
CITY ATTORNEY



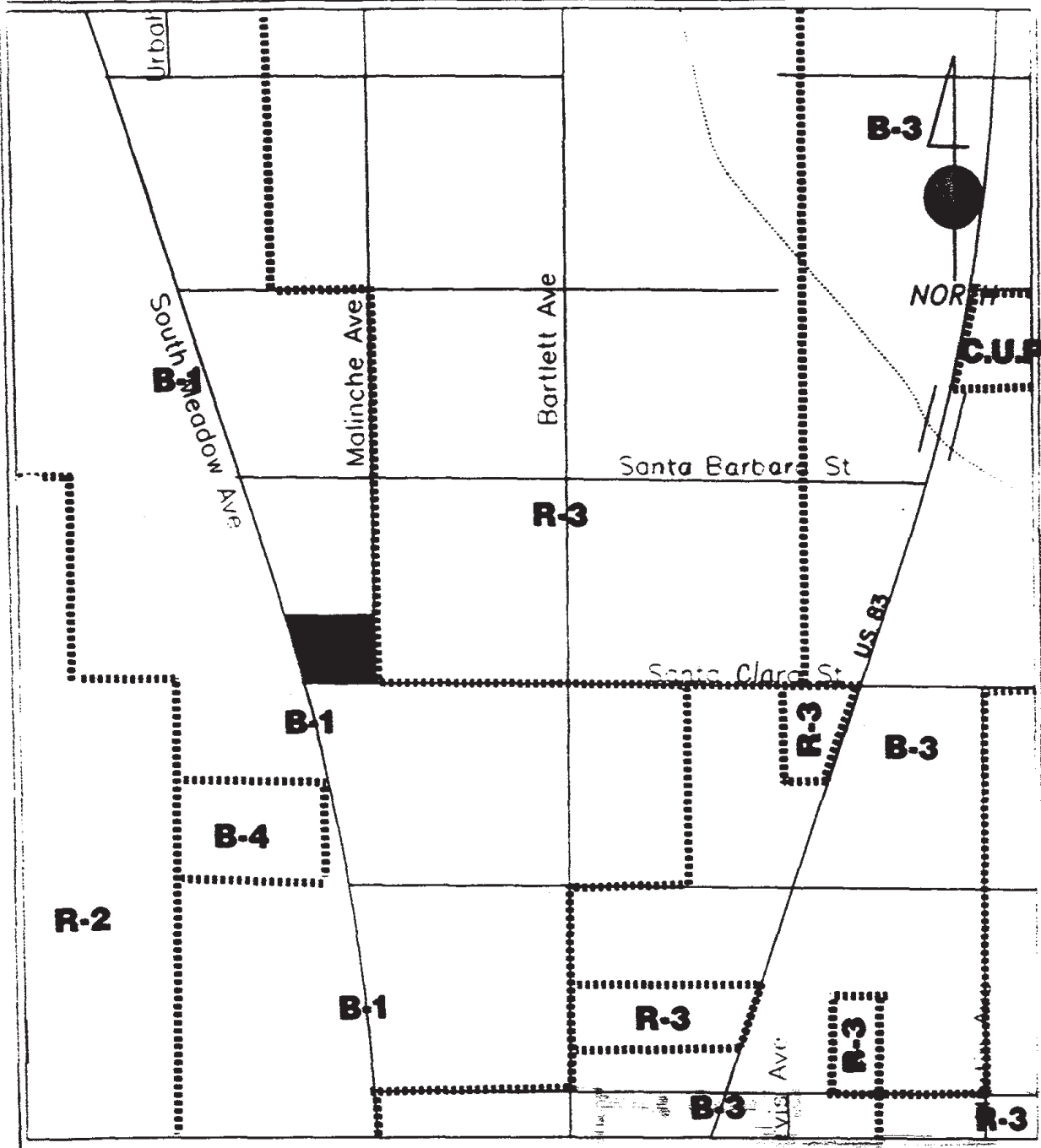
REQUEST FOR A C.U.P.
 (CONDITIONAL USE PERMIT)
 LOCATION: Meadow Ave, South at Santa Clara St.
 ZONE CASE: ZC-24-96
 Prepared By: F.M.
 City of El Paso

**REQUEST FOR A.C.U.P.
(CONDITIONAL USE PERMIT)**

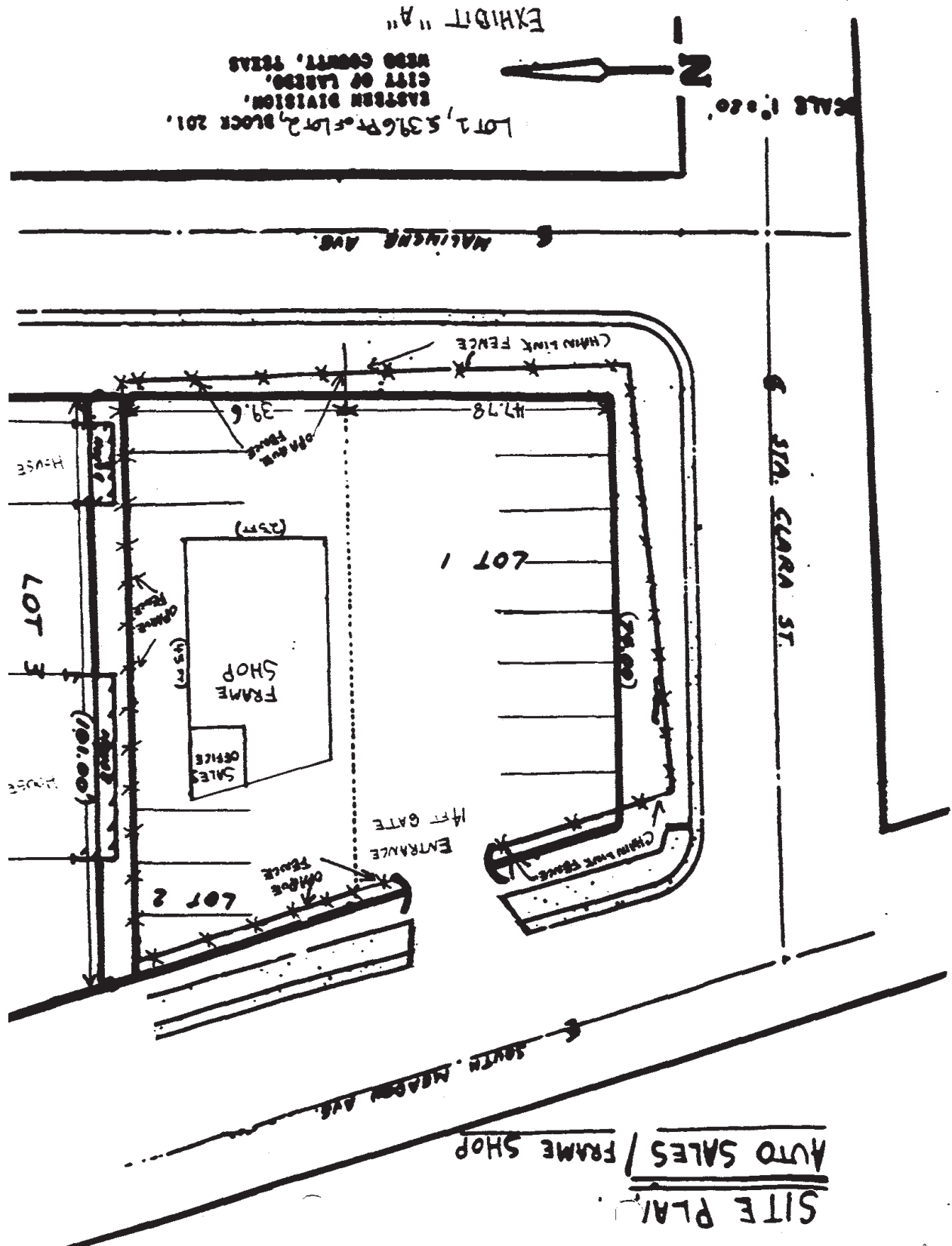
LOCATION: Meadow Ave, South at Santa Clara St.

ZONE CASE: ZC-24-96

Prepared By FM
City of Laredo
Planning Department



SITE PLAN AUTO SALES / FRAME SHOP



LOT 1, 539.67 ± LOT 2, BLOCK 201,
 EASTERN DIVISION,
 CITY OF LANSING,
 MICHIGAN, TEXAS

EXHIBIT "A"

SCALE 1" = 40'



Agenda Item Routing Form
City of Laredo

How many items are being sent with this routing form? ONE

Department or Division from where item(s) originated: Planning
Contact Person: Pete
Telephone #: 443
Date: 5/21
Needed for Meeting to be held on the: 5/28

Department Director Approval:
Date:

M.S. for M.S. 5/21/96

Legal Department Approval:
Date: 5/22/96

[Signature]

Administrative Assistant Approval:
Date:

Assistant City Manager in Charge of Administration:

Assistant City Manager in Charge of Operations:

The deadline for having an item into the Legal Department's office is 10:00 A.M. on the Tuesday before the City Council meeting. Legal will, in turn, forward the item on to the Administrative Assistant. Please note that Resolutions and Ordinances going before the Council for final reading require a resolution or ordinance number. This number is assigned by the Administrative Assistant so you should contact him before forwarding any item(s) to the Legal Department for inspection. Additionally, the twenty copies that are needed for the agenda books should not be initiated until the above contact person receives a call from the Administrative Assistant instructing them to do so. Thank you.

CITY OF LAREDO
CITY ATTORNEY'S OFFICE
REC'D
96 MAY 21 AM 10:13

P & Z COMMUNICATION

DATE: 5/16/96 Item #4	SUBJECT: PUBLIC HEARING AND RECOMMENDATION OF AN ORDINANCE Authorizing the issuance of a Conditional Use Permit for auto sales and auto frame repair on Lot 1 and the south 39.6 feet of Lot 2, Block 201, Eastern Division, located on S. Meadow Ave. and Santa Clara St. <div align="right">ZC-24-96</div>	
INITIATED BY: Samuel Cantu 3504 S. Louisiana Laredo, Texas	STAFF SOURCE: Marina Sukup, AICP, Director Planning & Building Services	
PRIOR ACTION: This item was brought forward as a zone change from B-1 to B-4 at the P & Z meeting of May 2, 1996. The public hearing was recessed so that staff and the applicant could discuss use of a C.U.P. instead of a zone change.		
ACTION PROPOSED: Public hearing and recommendation of an ordinance authorizing the issuance of a Conditional Use Permit for auto sales and auto frame repair.		
<div align="right">COUNCIL DISTRICT: I</div> BACKGROUND PROPOSED USE: Auto sales and auto frame shop. SITE: This site is currently vacant. SURROUNDING LAND USE: North of the site are three single family residences and a auto repair shop. North of Sta. Clara St. are more single family homes and another auto repair shop which is used mainly at night and on weekends. East of site is a auto repair and muffler repair shop. The remainder of the area east and southeast of the site is a mix of single family residences, multi-family units, mobile homes and vacant lots. South of the site, on the east side of the intersection of S. Meadow Ave. and Sta. Clara St. and the dead end of Malinche Ave. is a single family residence. Southwest, across S. Meadow Ave. is R & R Materials Co. West of the site is a mix of single family residences on large lots and vacant tracts.		
LETTERS: 24 (For zone change) In Favor: 2 Opposed: 0		
RECOMMENDATION: P & Z COMMISSION The P & Z Commission, in a to vote, recommended of the Conditional Use Permit.	RECOMMENDATION: STAFF Staff <u>supports</u> the proposed Conditional Use Permit.	

P & Z COMMUNICATION

BACKGROUND

COMPREHENSIVE PLAN: The Future Land Use Map recognizes this area as Low Density Residential.

TRANSPORTATION PLAN: The Long Range Thoroughfare Plan recognizes Meadow Ave. as a Major Collector.

IMPACT ANALYSIS

A Conditional Use Permit is used for those type uses which warrant individual attention on a case by case basis and should not be categorized into a specific zoning district. A Conditional Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

While there was no public opposition to the zone change, Cm. Hinojosa did express a concern about the number of businesses of this type which open and close leaving a vacant tract with a zoning designation which may allow uses which may be detrimental to the surrounding uses. A Conditional Use Permit at this location will address this concern while allowing the applicant to open his business.

The Conditional Use Permit will be none transferable and restricted to the auto sales and auto frame repair. No other commercial uses will be allowed. Adequate off-street parking is provided. A site plan is attached and will be made a part of the C.U.P.