

## City Council-Regular Meeting

**Date:** 8/18/2025

**Initiated By:** Ramon Chavez, Assistant City Manager

**Initiated By:** Eric Benavides, Owner; Christopher A. Cervantes Applicant/Representative

**Staff Source:** Vanessa Guerra, Planning Director

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### 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 Lots 1 and 2, Block 1, San Isidro McPherson, Phase IV, located at 9802 McPherson Road, Unit 125 and outdoor patio (ONLY – 1,910 square feet).

The Planning and Zoning Commission recommended **approval** of the proposed conditional use permit and staff **did not support** the application.

**ZC-040-2025**

**District VI**

### PREVIOUS COUNCIL ACTION

None.

### BACKGROUND

**Council District:** VI – Dr. David Tyler King

**Proposed use:** The proposed use is for a bar.

**Site:** The site is currently commercial suites, such as Blue Moon Country Bar & Patio, Cricket, GC Fitness Studio, Gorillaz Den Boxing and Fitness, Horikawa Tattoo & Piercing Studios, Select Employment Services, Zuma Recovery Spa, Savora Café Brunch, Jalapenos Pizza & Wings, La Vida Food Truck, North Central Barbershop & Salon, Mels Kitchen Café Address, the Snack Spot, and the Castilian Royal Receptionist.

**Minimum Zoning District Required for Proposed Use:** B-4 (Highway Commercial District)

**Current Zoning District:** B-3 (Community Business District)

**Citations:** There has been noise complaints with similar uses within the plaza.

**Surrounding land uses:** To the north of the site is Pizza Hut and Taco Palenque. To the south is Danny's Restaurant. To the west are gated community of apartments and condos (Maple Place at Tiara, Canteras de Laredo and Cantera Village). To the east is BBVA bank.

**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.

[www.laredompo.org/wp-content/uploads/](http://www.laredompo.org/wp-content/uploads/)

[2021/05/2021-Future-Thoroughfare-Plan\\_2021.02.11.pdf](#)

**Letters sent to surrounding property owners: 79 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.

### **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 structure is located 263 feet from the nearest residential zoning district, which does not comply with the minimum distance requirement of 300 feet. As per the Laredo Land Development Code Section 24-65.15.8, states “night clubs, bars, saloons, cantinas, billiard parlors, or carnivals when located three hundred (300) feet or more from an R-District are permitted.”

2. The proposed use does not meet the required parking requirement as per the Laredo Land Development Code Section 27.78.3.

- Total parking spaces required for the proposed bar and commercial plaza = 427

- Proposed bar requires = 32

- Required remaining commercial plaza = 395

- Actual amount identified on site plan = 94

- Therefore, the proposed site would need an additional 333 parking spaces.

- The proposed use is compatible at this location since there are similar uses within the commercial plaza, however, it does not comply with the required parking.

- The applicant has not proposed shared parking. Shared parking must be located within 1,000 feet from the principal use, as per the Laredo Land Development Code, Section 24-78.2(i).3. The applicant has been advised.

3. The proposed bar’s site plan and narrative identifies the use of the outdoor patio. Therefore, the proposed use may not be compatible and is anticipated to have a negative impact to the residential uses abutting to the west of the site.

- Music, noise, and speakers may pose a noise nuisance to the residential areas west of the site.

4. There has been noise complaints with similar uses within the commercial plaza.

General Comments:

1. The approval of the conditional use permit does not guarantee the issuance of the building permit, certificate of occupancy, or any other permit which may be required.
2. Any use allowed under the current zone or proposed conditional use permit is required to abide by all relevant municipal codes.

If approved, Staff suggest the following conditions:

1. The conditional use permit is restricted 1,910 square feet located within Unit 125 and the outdoor patio as per the site plan, "Exhibit A", which is made part hereof for all purposes.
2. The hours of operation shall be limited to, from Wednesday to Sunday, 9:00a.m. to 4p.m. and 6p.m. to 2 a.m.
3. Lighting of property shall be provided in accordance with the City of Laredo Land Development Code.
4. Landscaping shall be provided in accordance with the City of Laredo Land Development Code, Section 24.83.
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. There shall not be any amplified music, use of any amplified sound system, excessively loud generators, and/or any moving or flashing lights in the outdoor patio. The conditional use permit must comply with all city noise ordinances and all nuisances provisions of the City of Laredo Code of Ordinances.
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, Building Development Services Department with a copy of the current TABC License to include but not limited to any renewals or amendments as they occur.

16. Any use allowed under the current zone or proposed conditional use permit is required to abide by all relevant municipal codes.

#### IMPACT ANALYSIS

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

No. The commercial plaza has similar type uses.

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

No. The zoning will not change.

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

Possibly. The outdoor patio may pose a noise nuisance to the residentials west of the site.

**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 as intended by the applicant.

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#### **Attachments:**

Comp Plan Alignment

Maps

Narrative

Site Plan

Tenant List

Zone Change Signage

Draft Ordinance

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