ORDINANCE NO. 2021-O-074

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT FOR A RESTAURANT SERVING ALCOHOL, ON LOTS 1, 2, AND 3, BLOCK 3, KHALEDI HEIGHTS SUBDIVISION, LOCATED AT 3910 E DEL MAR BLVD., UNIT 3, FOR SUITE 201 ONLY; 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 Lots 1, 2, and 3, Block 3, Khaledi Heights Subdivision, located at 3910 E Del Mar Blvd., Unit 3, for Suite 201 only; 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 February 25, 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 March 29, 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 Lots 1, 2, and 3, Block 3, Khaledi Heights Subdivision, located at 3910 E Del Mar Blvd., Unit 3, for Suite 201 only.

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 Laredo Brewing Company LLC, Rodrigo Marroquin, owner and is non-transferable.

2. The Special Use Permit is restricted to the 1,750 sq. ft. of interior space, plus the 600 sq. ft of outdoor eating area of Building 200, Suite 201, as per the attached site plan, Exhibit "A", which is part hereof for all purposes.

3. The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from Sunday through Wednesday from 10:00 a.m. through 10:00 p.m., and Thursday through Saturday, 10:00 a.m. to 12:00 (midnight).

4. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.

5. Signage shall be consistent with the City's Sign Ordinance and TABC rules or regulations.

6. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.

7. Outdoor music and speakers are prohibited. 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.

8. At all times the restaurant is open to the public for business; it shall continually maintain and serve food from its full-service menu.

9. The restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load issued to SUP business holder.

10. 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 exit accesses, exits or exit discharges.

11. The restaurant shall undergo an annual Fire Inspection.

12. 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 Food Manager License (annual), Food Handler's Permit (annual), and Certificate of Occupancy with Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.

13. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.

14. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.

15. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.

16. Owner shall comply with, Building, Health, Safety, and all applicable codes and regulations as required.

17. The restaurant shall maintain and comply with the BLUE Gun Sign regulations as per TABC (not to exceed the required alcohol sales percentage).

18. The restaurant shall provide the City of Laredo, Planning Department with a copy of the current TABC License to include but not limited to any renewals or amendments as they occur.

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 an 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 6 DAY OF April, 2021.

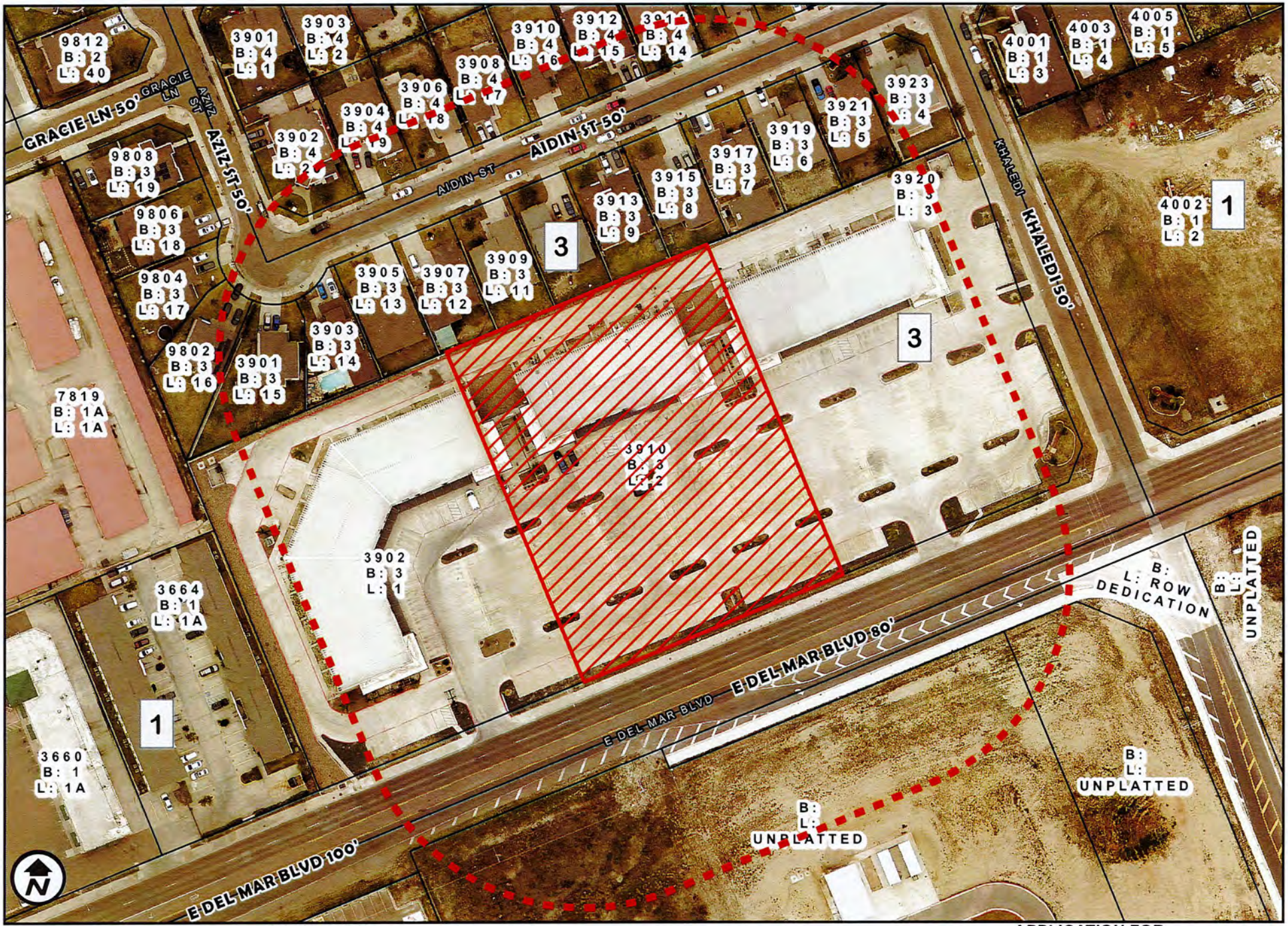
PETE SAENZ
MAYOR

ATTEST:

JOSE A. VALDEZ
CITY SECRETARY

APPROVED AS TO FORM:

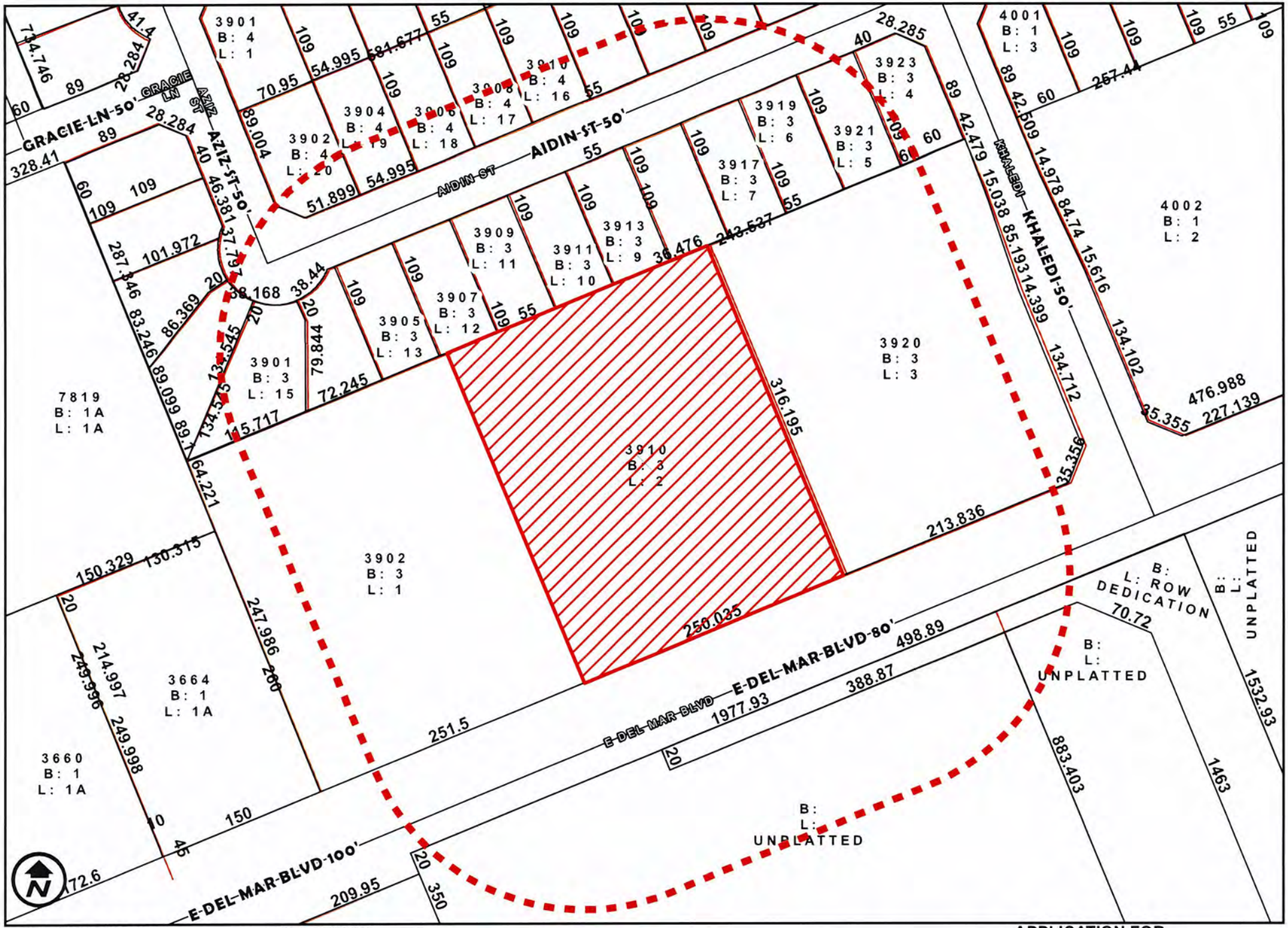
RENE BENAVIDES
CITY ATTORNEY



AERIAL MAP
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

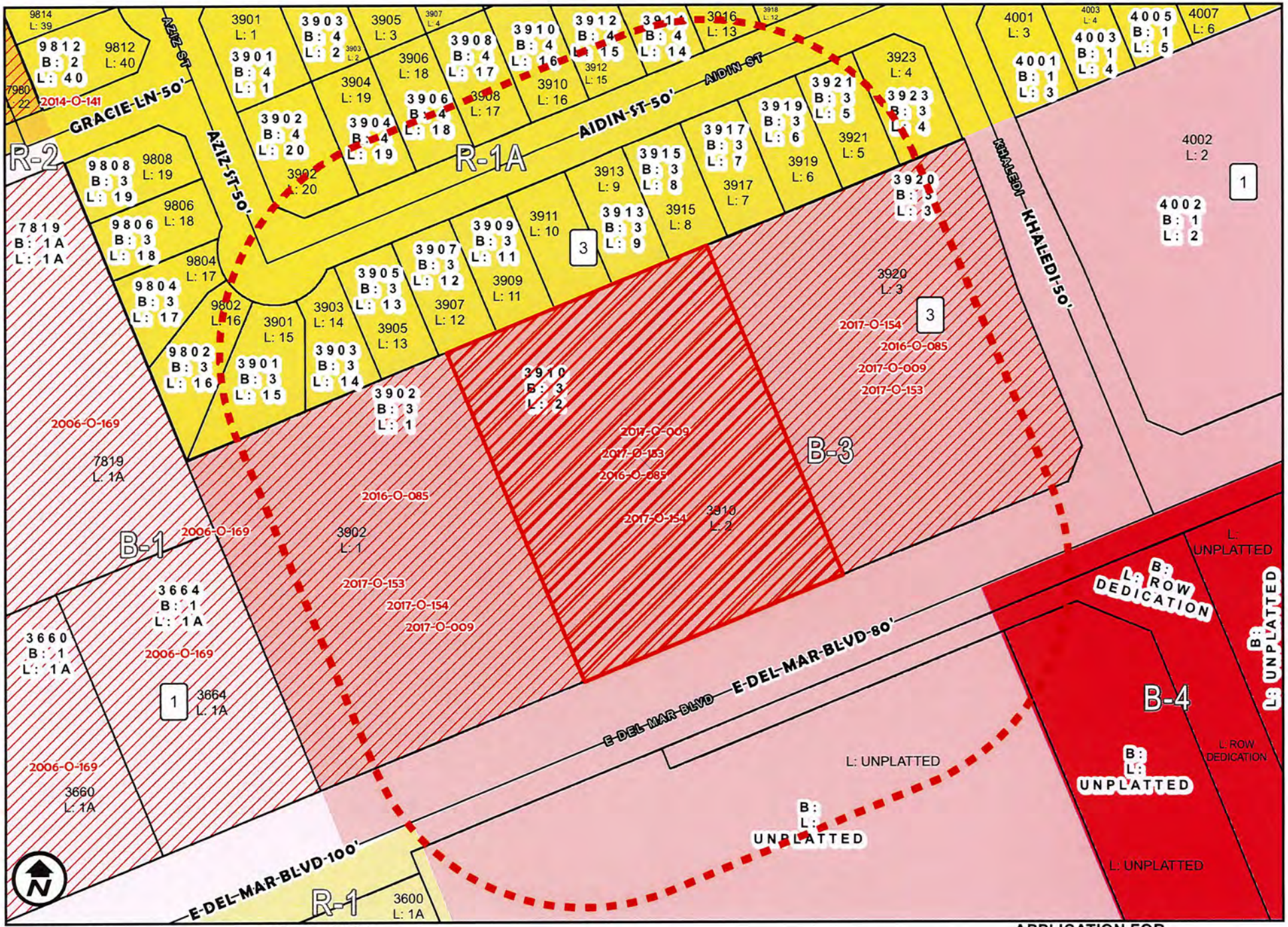
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



DIMENSIONS MAP
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

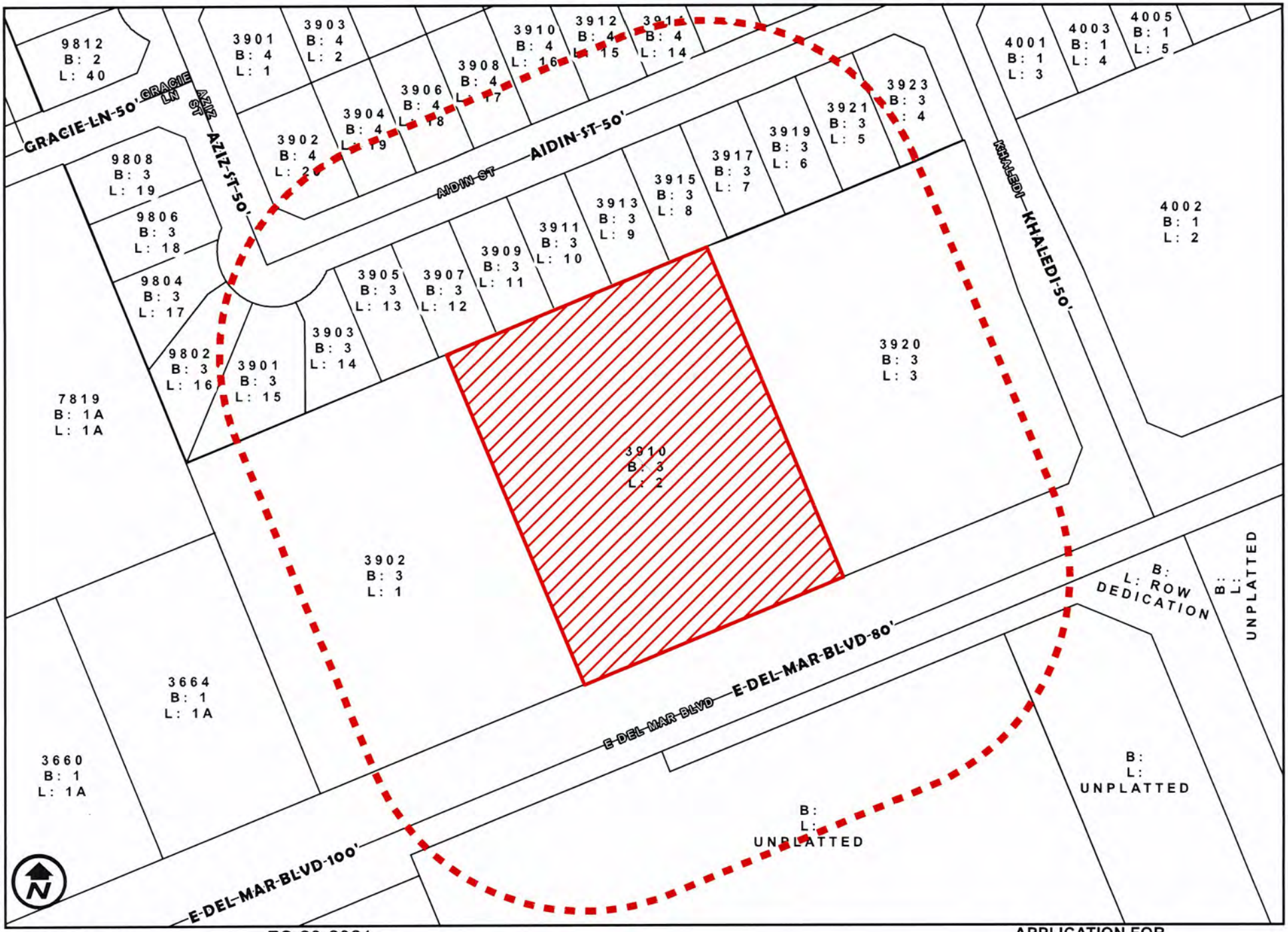
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



ZONING MAP
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

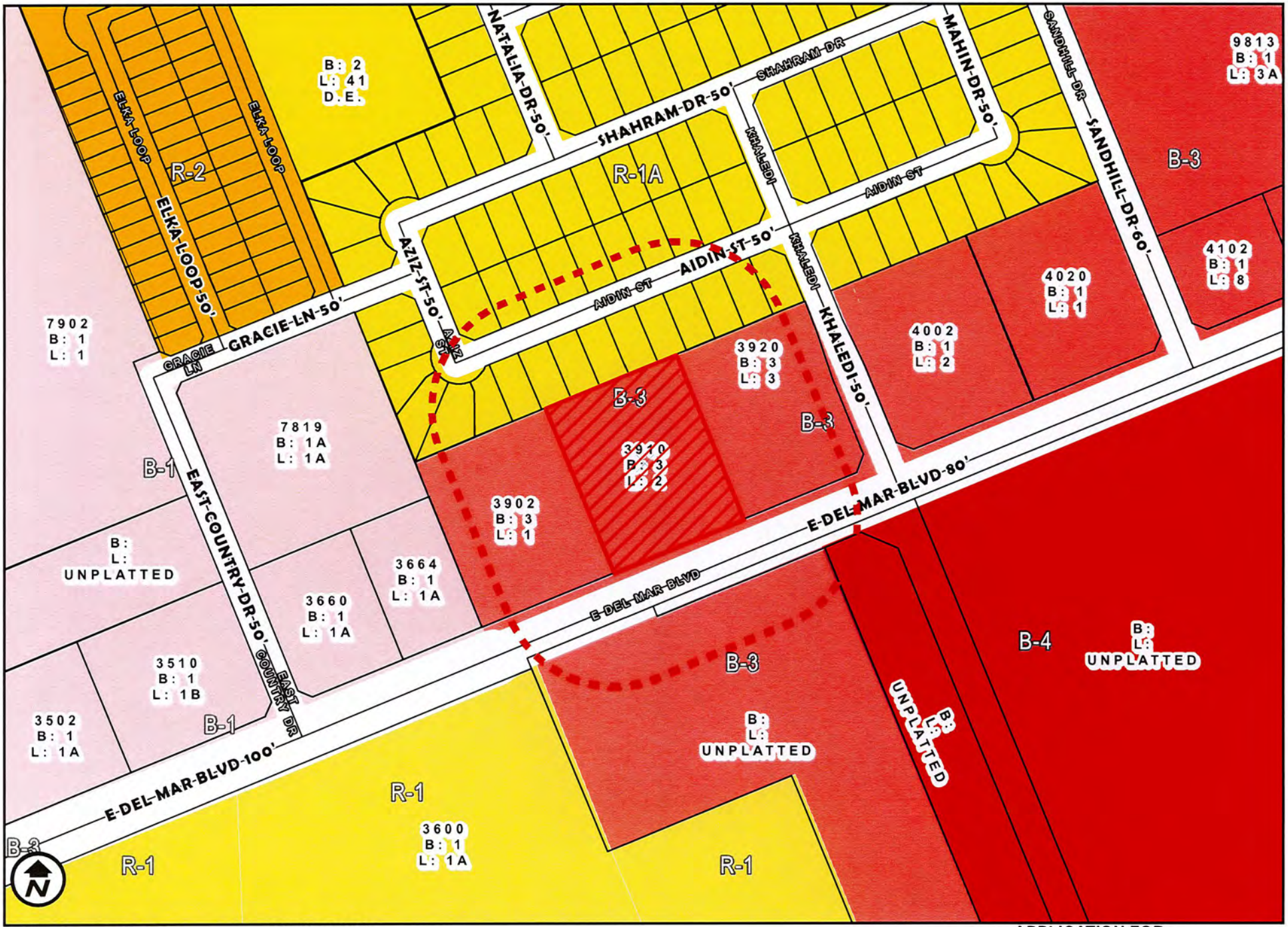
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



SURVEY MAP
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

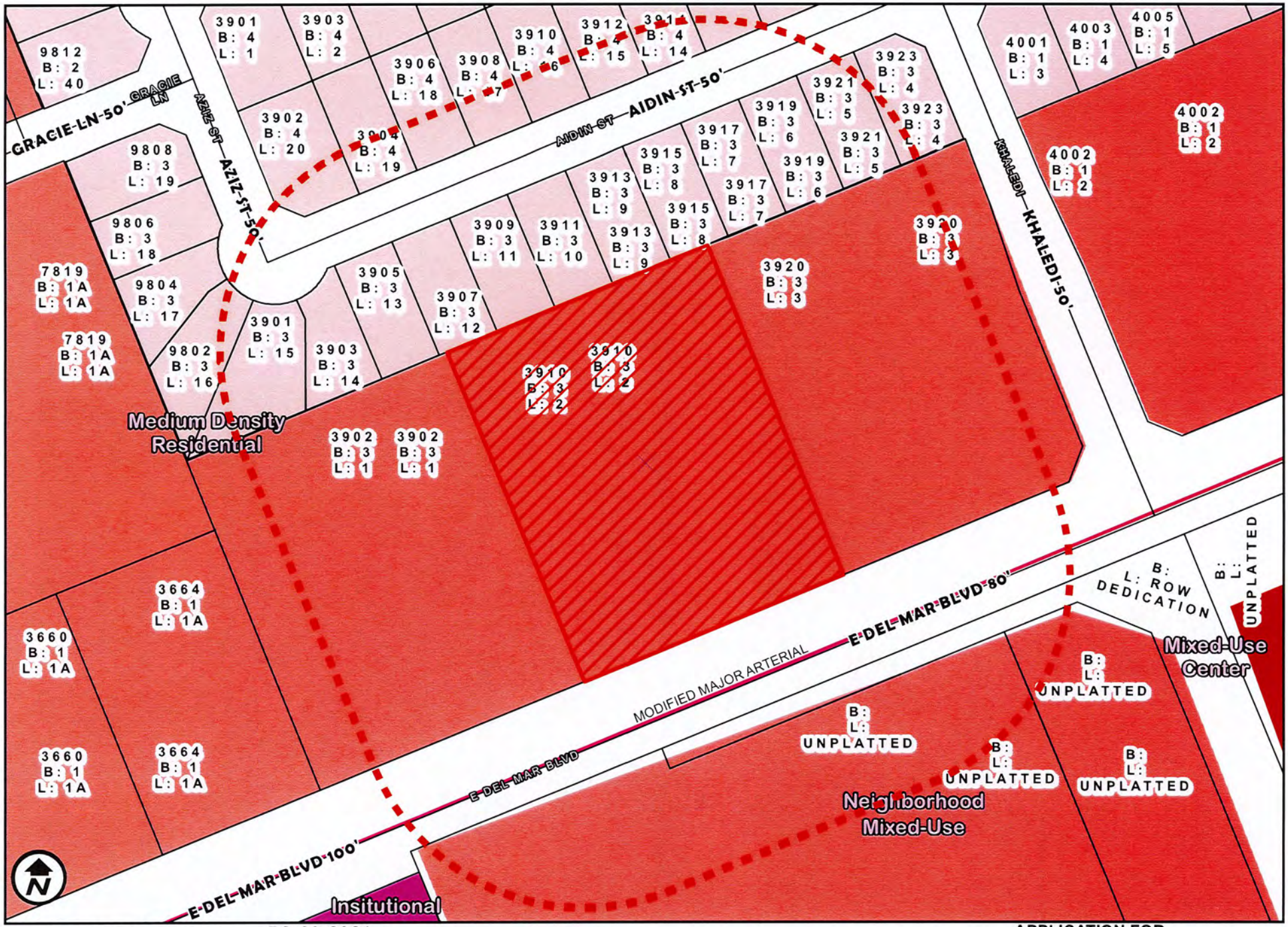
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



ZONING OVERVIEW
1 inch = 217 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

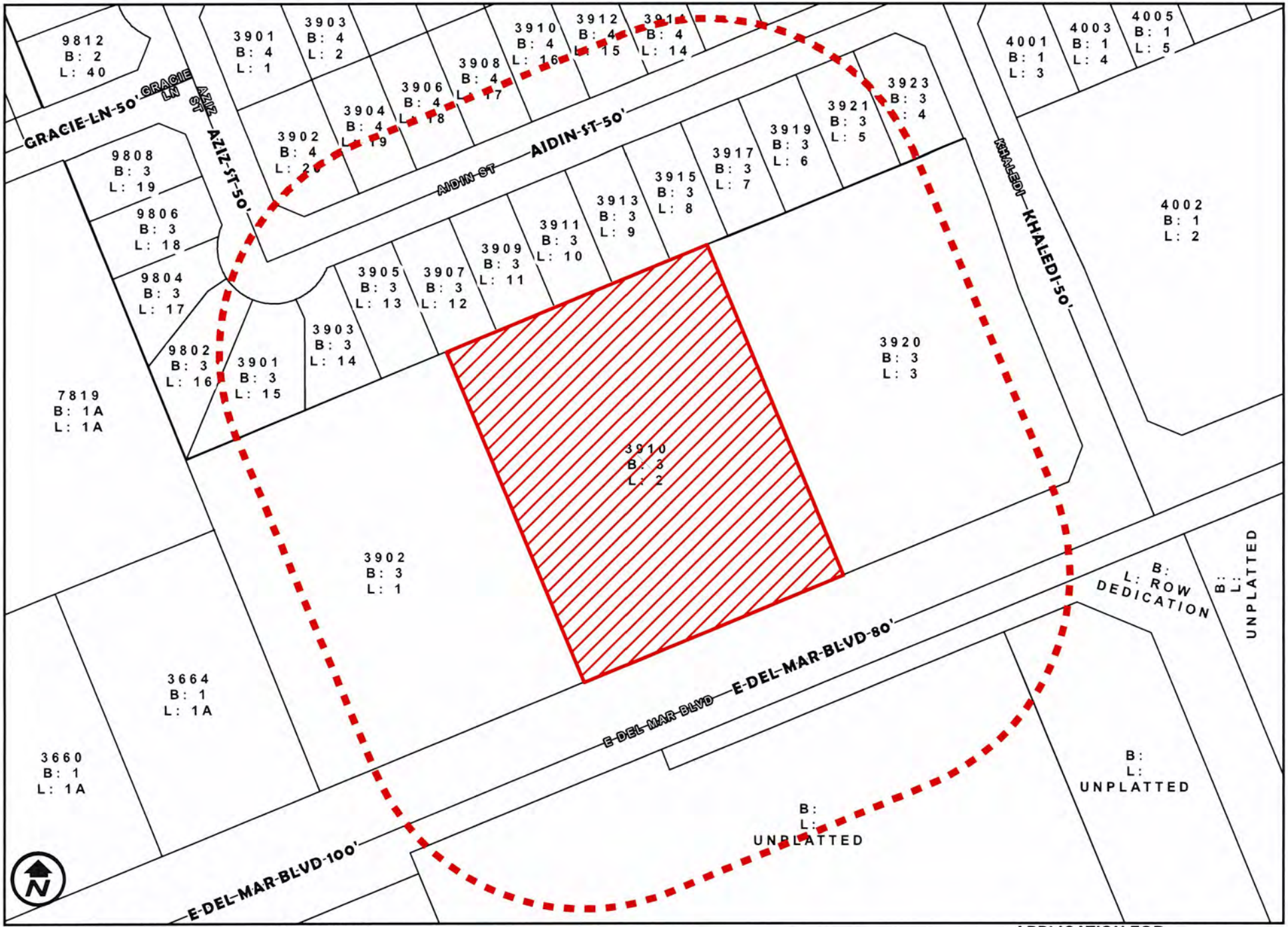
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



FUTURE LANDUSE MAP
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

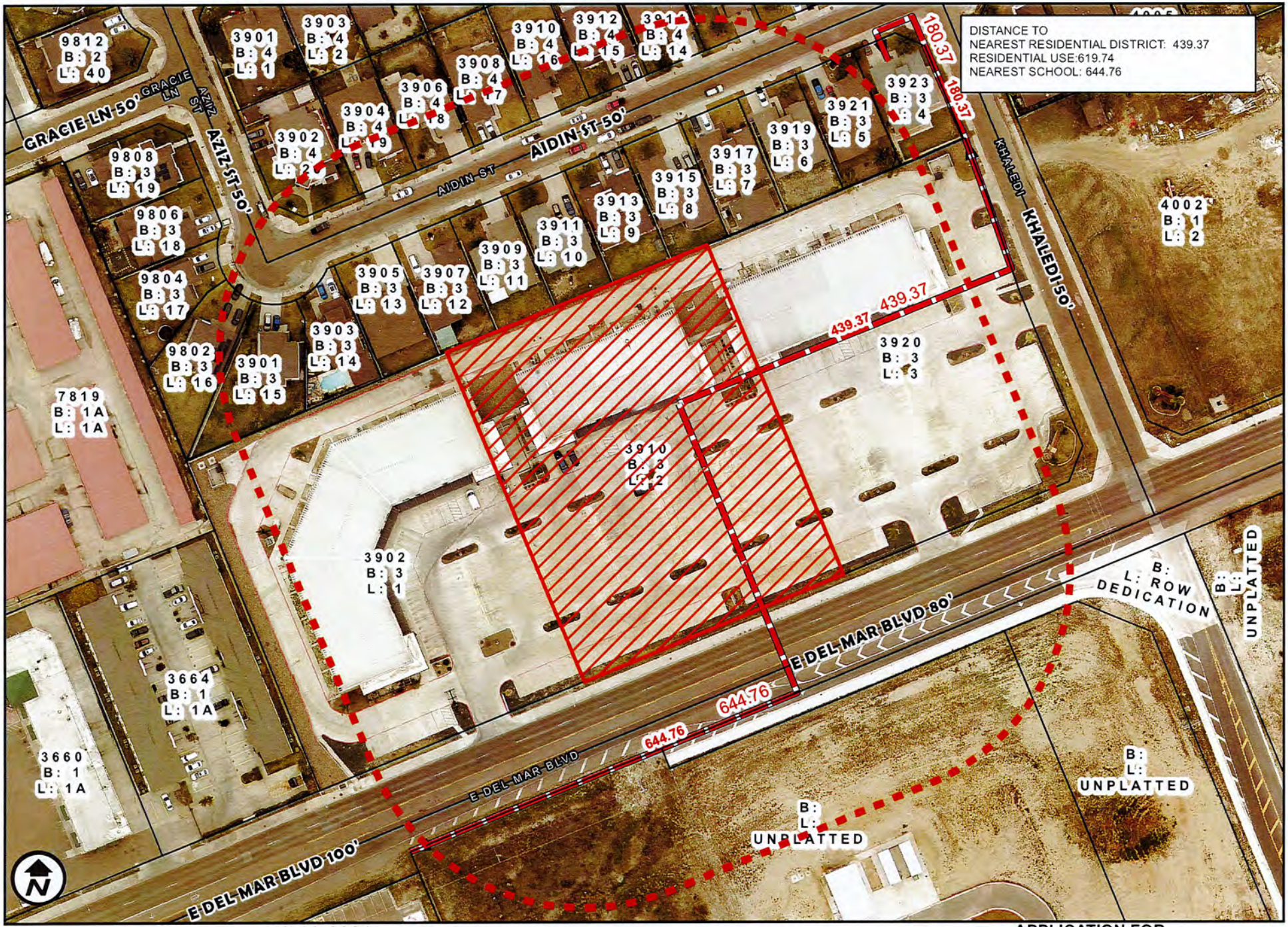
APPLICATION FOR
B-3 (COMMUNITY BUSINESS DISTRICT)
S.U.P.



200' NOTIFICATION
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

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



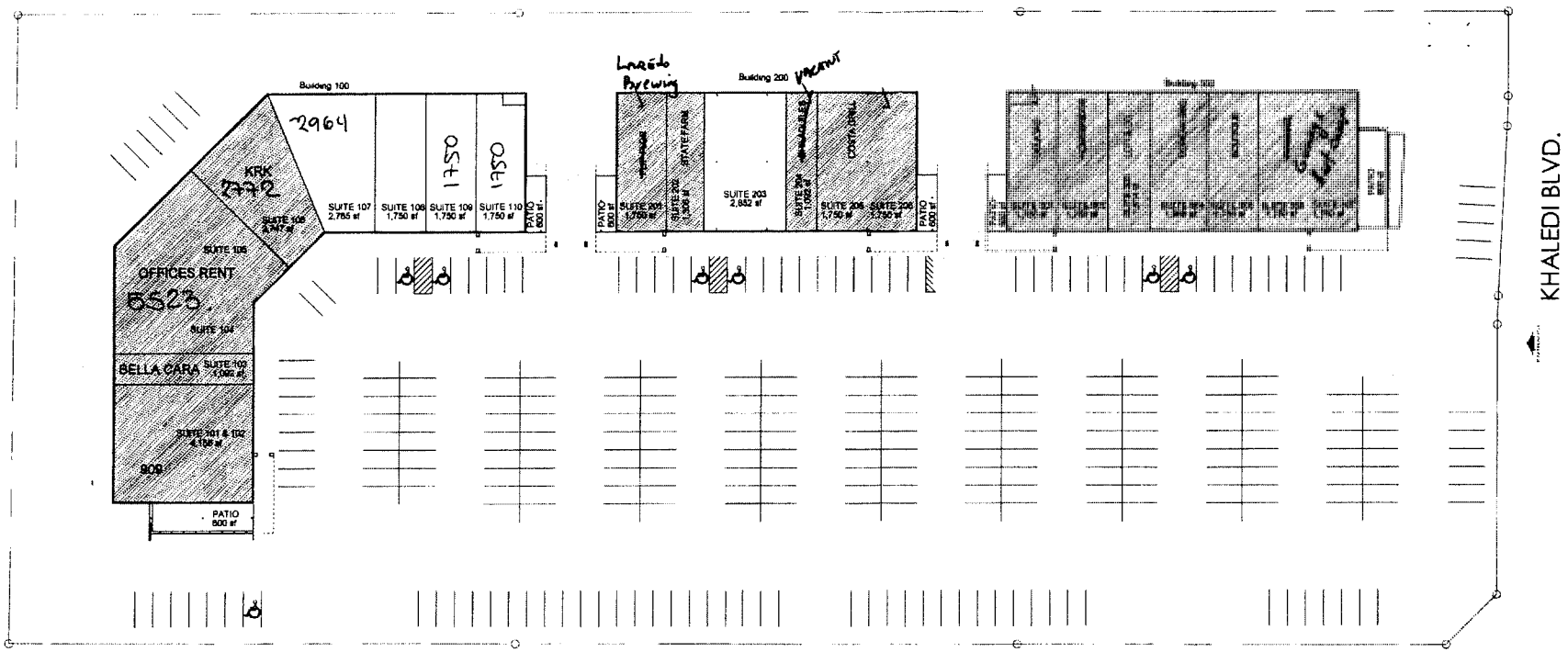
MEASUREMENTS
1 inch = 108 feet

ZC-20-2021
COUNCIL DISTRICT 6
3910 E. DEL MAR UNIT 201

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

KHALEDI HEIGHTS PLAZA
SITE PLAN
3910 E. DEL MAR LAREDO TX. 78045

Exhibit A



January 15, 2021

City of Laredo
Planning and Zoning
Laredo, Texas 78040

Re: Detailed Narrative of Proposed Business Use

To Whom It May Concern:

Laredo Brewing Company, LLC, intends to conduct business as a restaurant serving alcohol at 3910 E. Del Mar Blvd. Ste. 201, Laredo, Texas 78045. Our business concept is a taco bar and artesian beer tap room. Our menu will consist of authentic homemade tortillas, regional taco offerings and micro brewed beer with a relaxed indoor/outdoor seating option.

Laredo Brewing Company will serve micro brewed beer to adult patrons but our primary product will be handmade artesian tortillas and taco assortments.

Our proposed hours of operation will be from 10:00 a.m. to 10:00 p.m. Monday thru Wednesday, Thursday thru Saturday 10 a.m. thru 12:00 a.m. (midnight), and Sunday 10:00 a.m. thru 10:00 p.m. Our staff will include a full-time manager, shift managers, cashiers, bartenders, and line cooks. All employees will be cross trained to cover any open positions.

We intend to open 7 days a week and closed on major holidays so staff can spend time with their families.

Our mission is to provide a casual, dining experience where friends and family can gather safely.

Should you have any further questions, please feel free to contact me at 956-251-4820.

Sincerely,

Jeremiah Cabrera
Manager

City Council-Regular **9.**

Meeting Date: 04/06/2021
Staff Source: James Kirby Snideman, Planning & Zoning Director
Staff Source: Vanessa Guerra, Planner IV
Initiated by: Khaledi Heights Plaza LLC, owner,
Laredo Brewing Company LLC,
Rodrigo Marroquin, applicant,
Jeremiah Cabrera, representative
Prior Action: This item was introduced at the City Council meeting of 3/29/21.

SUBJECT:

2021-O-074 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lots 1, 2, and 3, Block 3, Khaledi Heights Subdivision, located at 3910 E Del Mar Blvd., Unit 3, for Suite 201 only.

ZC-20-2021
District VI

BACKGROUND:

Council District: VI - Dr. Marte A. Martinez

Proposed use: Special Use Permit for a restaurant serving alcohol.

Site: The site is occupied by a commercial plaza with 23 suites occupied by a variety of uses including restaurant, retail, and office uses.

Surrounding land uses: A single family residential development is located to the north. East of the site is a vacant tract. West of the site is East Country Mini Storage, Stitch and Print Embroidery, and Habbi's Snack Shack and Takeout. South of the site is Del Mar Blvd., a vacant tract, and John B. Alexander High School.

Comprehensive Plan: The Future Land Use Map identifies this tract as Neighborhood Mixed Use.
https://www.cityoflaredo.com/Planning/assets/viva-laredo---city-of-laredo-comprehensive-plan.pdf#page=39

Transportation Plan: The Long Range Thoroughfare Plan identifies Del Mar Boulevard as a Modified Major Arterial.
https://www.cityoflaredo.com/Maps/GIS_MAPS/maps/Thoroughfare.pdf

Letters sent to surrounding property owners: 25 In Favor: 0 Opposed: 0

STAFF COMMENTS:

A Special Use Permit 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 basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, 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.

Staff **supports** the proposed SUP at this location for the following reasons:

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 effect the surrounding area.
2. The proposed use is compatible with the mixed uses already present in the area.
3. While the parking does not conform to the Land Development Code requirements, the proposed and existing use's hours of operation are such that peak parking levels are not expected to spill over to the surrounding area.
4. 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. There are 537 between the proposed use and the nearest residential zone/district or school.

Parking: The location has 252 existing spaces. The existing and proposed uses require a total of 280 spaces. 28 more parking spaces would be required to comply.

If approved, Staff suggests the following conditions:

1. The Special Use Permit is issued to Laredo Brewing Company LLC, Rodrigo Marroquin, owner and is non-transferable.
2. The Special Use Permit is restricted to 1, 750 S.F. of interior space, plus 600 S.F. of outdoor eating area on Building 200, Suite 201, as per the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from Sunday through Wednesday from 10:00 a.m. through 10:00 p.m., and Thursday through Saturday, 10:00 a.m. to 12:00 (midnight).
4. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
5. Signage shall be consistent with the City's Sign Ordinance and TABC rules or regulations.
6. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
7. Outdoor music and speakers are prohibited. 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.
8. At all times the restaurant is open to the public for business; it shall continually maintain and serve food from its full service menu.
9. The restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load issued to SUP business holder.
10. 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 exit accesses, exits or exit discharges.
11. The restaurant shall undergo an annual Fire Inspection.
12. 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 Food Manager License (annual), Food Handler's Permit (annual), and Certificate of Occupancy with Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.
13. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
14. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
15. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.
16. Owner shall comply with, Building, Health, Safety, and all applicable codes and regulations as required.
17. The restaurant shall maintain and comply with the BLUE Gun Sign regulations as per TABC (not to exceed the required alcohol sales percentage).
18. The restaurant shall provide the City of Laredo, Planning Department with a copy of the current TABC

License to include but not limited to any renewals or amendments as they occur.

P&Z RECOMMENDATION:

The Planning and Zoning Commission is a _6__ to __0__ vote recommended approval of the Special Use Permit.

STAFF RECOMMENDATION:

Staff supports the application.

IMPACT ANALYSIS

Is this change contrary to the established land use pattern? No.

Would this change create an isolated zoning district unrelated to surrounding districts? No.

Will change adversely influence living conditions in the neighborhood? No.

Are there substantial reasons why the property cannot be used in accordance with existing zoning? No.

Attachments

ORD
MAPS
SITE PLAN- EXHIBIT A
NARRATIVE

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games over Del Rio, LBJ and United. During this mini streak, the Mustangs have outscored their opponents by a combined 22-8. The last time Nixon played, it beat United 9-7 with an incredible nine-run fourth inning.

LBJ (1-11, 0-6) hosts Eagle Pass in a 7 p.m. contest Friday at Krueger Field. The Wolves aim to reverse their district fortunes as they remain winless in league action. LBJ showed grit during the first round of district action. However, it just couldn't come away with a victory.

In 30-5A, Martin travels to Mission Veterans Memorial for a 5 p.m. contest. This is a critical game for the Tigers as only a game separates the two teams in the standings – Martin (4-7, 3-4) is fourth while Veterans Memorial (2-5, 2-4) is fifth. The Tigers defeated the Patriots 3-2 the first time they met.

Cigarroa has had a tough season as it sits at 0-10 overall and 0-7 in 30-5A play. The Toros look to make some noise as the end of the year draws near as they host La Joya Palmview (10-2-1, 5-1) at Veterans Field on Saturday. The matchup is scheduled for noon.

gkroeger@lmtonline.com
Twitter: @gkroegs

ng Times CLASSIFIEDS

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/Lease

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2bed/2bath,
PETS by
) 450 -1549

FICES FOR

Commercial/ Industrial

FOR Sale property located at 7226 State Hwy 359..24 Acres yard with 6 Buildings approx 5,000 sf of Office Space. Truck Wash Bay. Equipped for a Transportation Co with oil change bay, 4 Air Compressors, 4 Overhead Cranes with All Utilities. 1 Building equipped w/ machine shop equipment, ready to work. Owner Finance. Call 956-744-6363 For More Info.

FOR LEASE- 4415 Hwy 359, Unit 12. B-4 Zoning, $1,000. per month + Dep. Ready to move in. Plenty of parking Call 956-740-0700

Trucks, SUVs & Vans

2007 Ford F-150 V-6 - A/C 160K Mi., regular cab, blue title, black clean with extra set of wheels and tires. $7,000 firm (956) 282-3434

2008 Nissan Quest S-Minivan For Sale. Blue, 120K Mi., $3,000 (956) 324-9782

2005 Mustang GT A/C Good Condition, std $6500 Call: **(956)251-7398**

COMPRO todo tipo de Autos y Trocas. Jalando, chocados, decompuestos, con titulo o sin. (956) 645-6425

Autos & More

Autos

2004 Tacoma A/C, 4 doors, Red, 155K miles Exellent Cond., $8,750. O.B.O. (956) 237-6017

265-70 R 17's 6 lugs, BF Goodrich All Terrain T/Z Tires. Good condition! $500 (956) 282-3434

MOTORCYCLE 2014 Kawasaki Concours 14, 4500Kmiles, 1,400 cc engine, 1 Owner - Title On Hand $8.500. O.B.O. (956) 774-1054

COMPRO CARROS PARA YONK! $100 EN ADELANTE! (956) 326-5908

VENTA TROKA Chevy Silverado 2006 Cabina Sencilla 6 cil. Auto. Registrada Tx. $6,000.00 (956) 285-8025

1998 Dodge Dakota Truck, 8 Cyl., clean title, $3,200. Call: (956)229-1662

FORD Expedition, Eddie Bauer 2001. Muy Buenas Condiciones, A/C, Nuevas llantas, Titulo Azul $2,150 (956) 645-9503

Legals/Public Notices

ORDINANCE NO. 2021-O-074

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT FOR A RESTAURANT SERVING ALCOHOL, ON LOTS 1, 2, AND 3, BLOCK 3, KHALEDI HEIGHTS SUBDIVISION, LOCATED AT 3910 E DEL MAR BLVD., UNIT 3, FOR SUITE 201 ONLY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.
L-91

Announcements