

ORDINANCE NO. 2017-O-028

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REPEALING ORDINANCE NO. 2015-O-011 AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN AUTO DEALER (PRIMARILY USED), ON LOT 4, BLOCK 848, EASTERN DIVISION, LOCATED AT 1519 E. SAN PEDRO ST.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for an Auto Dealer (primarily used), on Lot 4, Block 848, Eastern Division, located at 1519 E. San Pedro St.; 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 January 19, 2017; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the issuance of the Conditional Use Permit; 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 City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on February 21, 2017, on the request and finds the Conditional 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 repealing Ordinance No. 2015-O-011 and authorizing a Conditional Use Permit for an Auto Dealer (primarily used), on Lot 4, Block 848, Eastern Division, located at 1519 E. San Pedro St.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

- 1.The C.U.P. shall be issued to HTO Auto & Truck Sales, Inc. and Maria Teresa Coronado, and is nontransferable.
- 2.The C.U.P. is restricted to Auto Dealer, as shown on Exhibit "A".
- 3.The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.

4. The C.U.P. is restricted to operating hours of Monday through Saturday, from 10:00 a.m. to 7:00 p.m., as shown on Exhibit "B".
5. Signage is limited to that allowed in a B-1 District.
6. A seven (7) foot opaque fence shall be provided along the southern property line abutting residential zone, in compliance with Section 24.79 of the Laredo Land Development Code.
7. The establishment shall make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
8. Lighting of property shall be screened to avoid adverse impact on adjacent residential uses.
9. Parking must be in compliance with Section 24.78 of the Laredo Land Development Code.
ADA-compliant parking space(s) shall be required.
10. No on-street parking is permitted of vehicles for sale, employee vehicles or customers.
11. A maximum of ten (10) vehicles for sale are permitted at one time on the lot.
12. Access to the property shall be provided through E. San Pedro as a Right-In only, and N. Meadow Ave. as a Right-out only.
13. Owner shall provide and maintain trees and shrubs in compliance with Section 24.83 of the Laredo Land Development Code.
14. Owner shall comply with all Building, Fire and Safety Codes, and all applicable codes and regulations as required.

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 Conditional 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. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

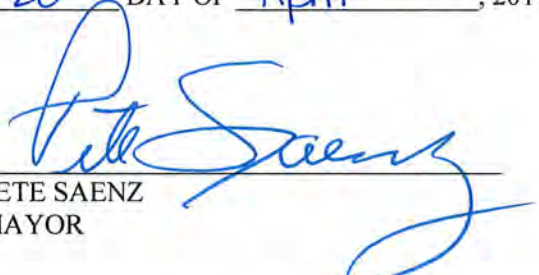
- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date.

2. Procedures


Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional 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 Conditional 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 Conditional 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 Conditional 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 Conditional 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
20th DAY OF April, 2017.

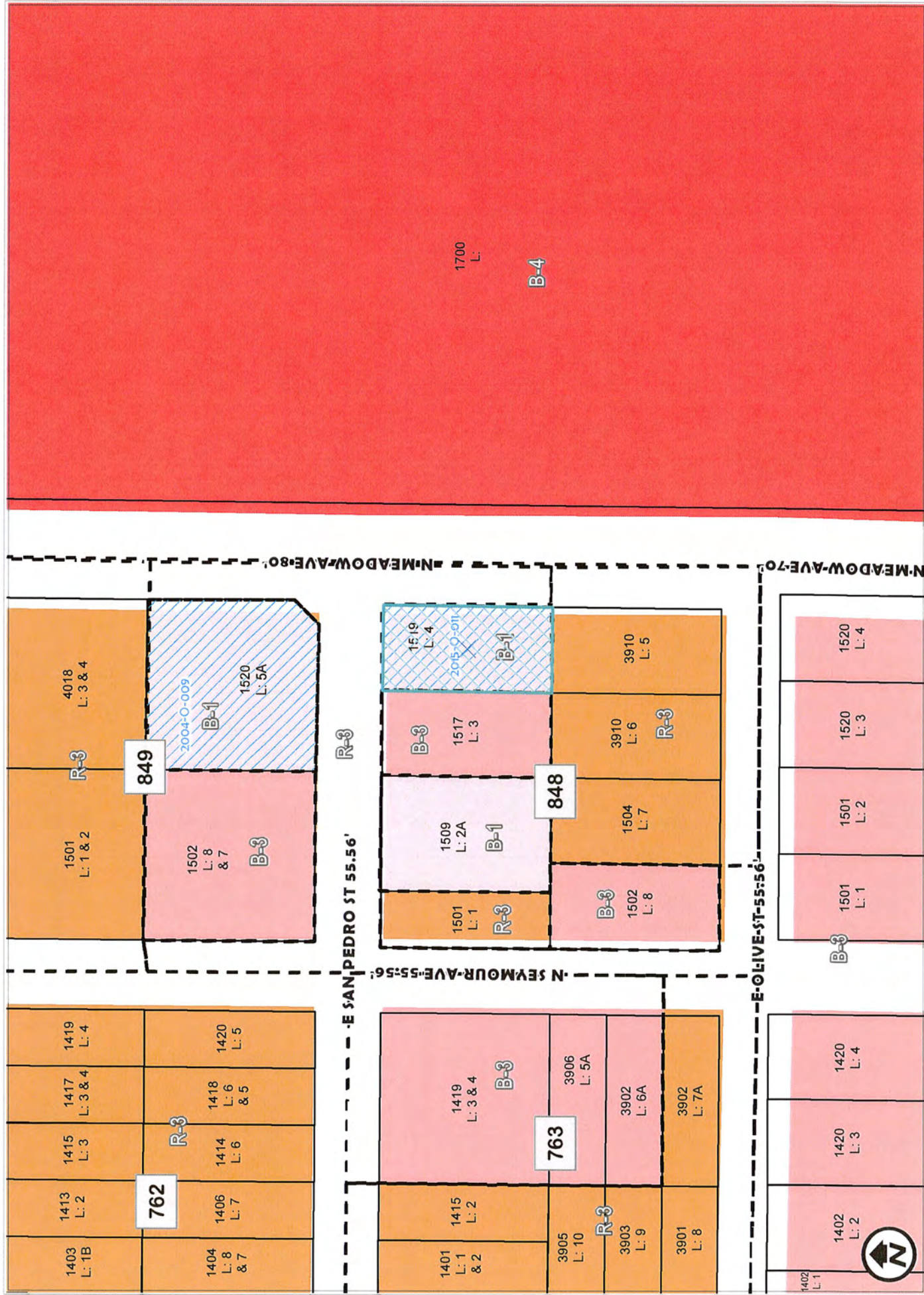

PETE SAENZ
MAYOR

ATTEST:


HEBERTO L. RAMIREZ
ACTING CITY SECRETARY



APPROVED AS TO FORM:

KRISTINA K. LAUREL HALE
ACTING CITY ATTORNEY



ZONING MAP
1 inch = 100 feet

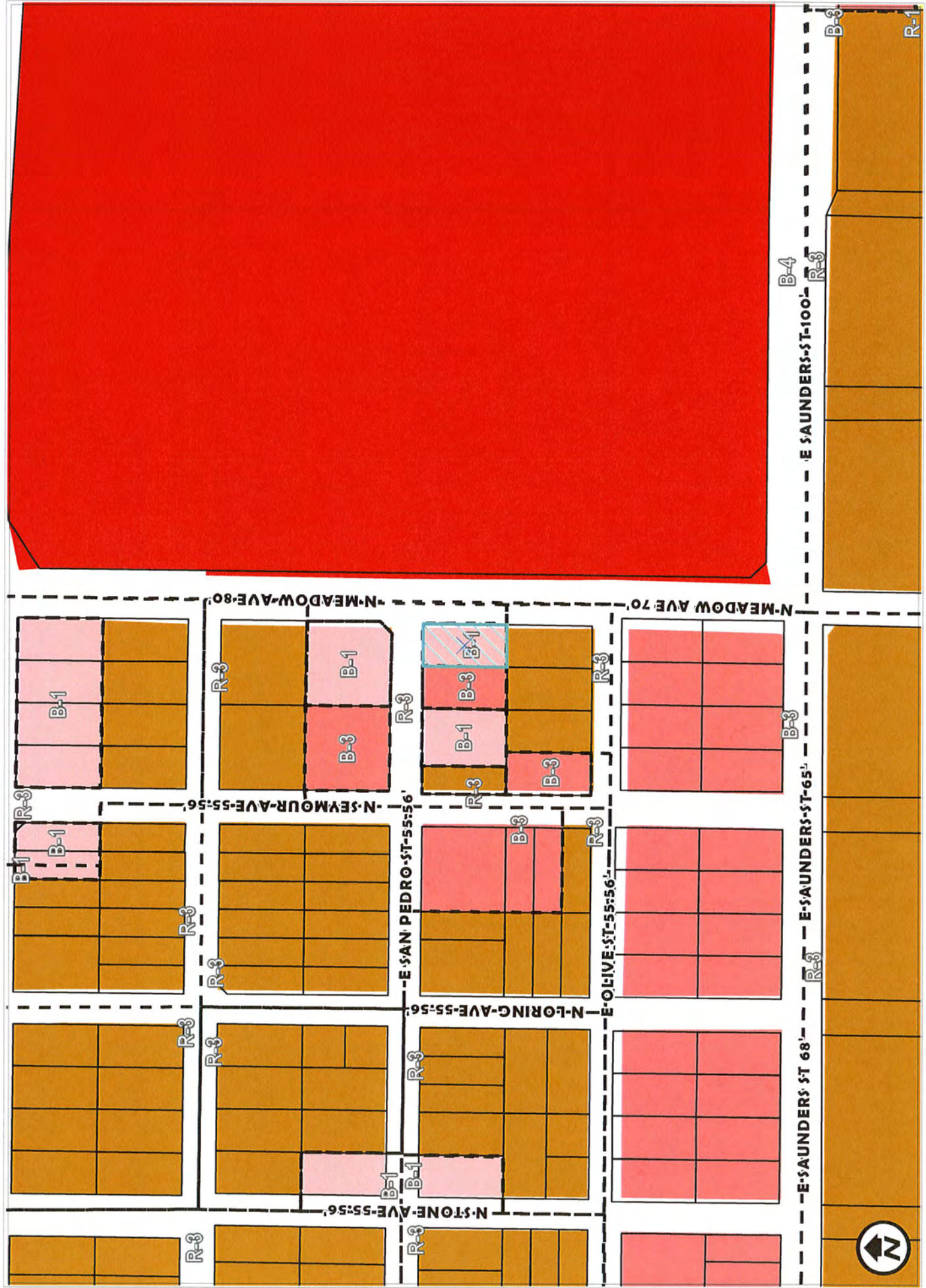
ZC-13-2017
COUNCIL DISTRICT 4
1519 E SAN PEDRO ST

APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> AUTO DEALER (PRIMARILY USED)

C.U.P. (SPECIAL USE PERMITS)
 C.U.P. (CONDITIONAL USE PERMITS)
 S.U.P. & C.U.P.



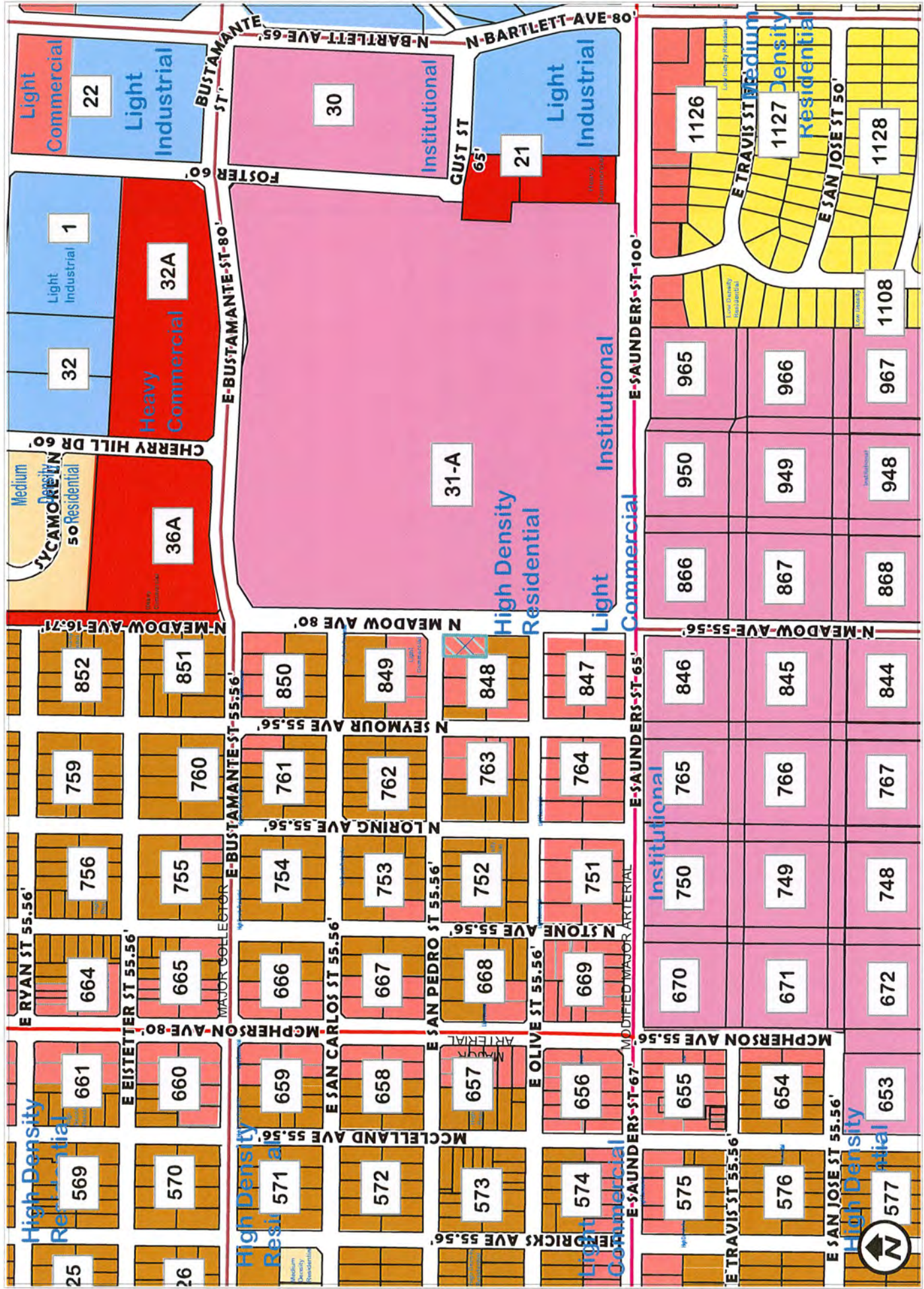
AERIAL MAP
1 inch = 100 feet



APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> AUTO DEALER (PRIMARILY USED)

ZC-13-2017
COUNCIL DISTRICT 4
1519 E SAN PEDRO ST

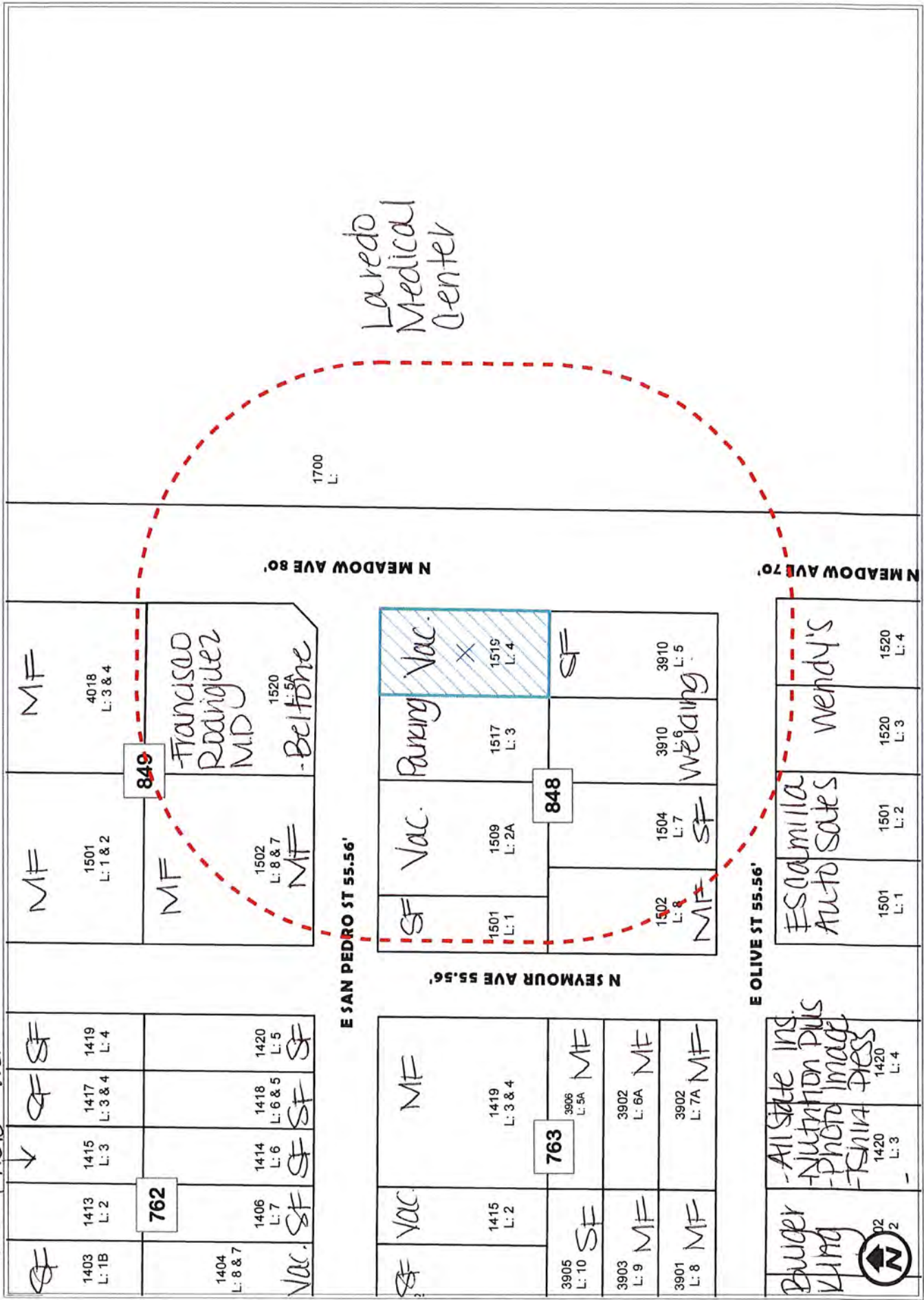
ZONING OVERVIEW
1 inch = 200 feet



APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> AUTO DEALER (PRIMARILY USED)

ZC-13-2017
FUTURE LANDUSE MAP
COUNCIL DISTRICT 4
1519 E SAN PEDRO ST
1 inch = 400 feet

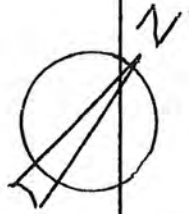
Fast Photo + Video



APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> AUTO DEALER (PRIMARILY USED)

ZC-13-2017
COUNCIL DISTRICT 4
1519 E SAN PEDRO ST

200' NOTIFICATION
1 inch = 100 feet



SAN PEDRO ST.

1519

MEADOW AV.

ESCALA: 1 pulgada = 20 pies

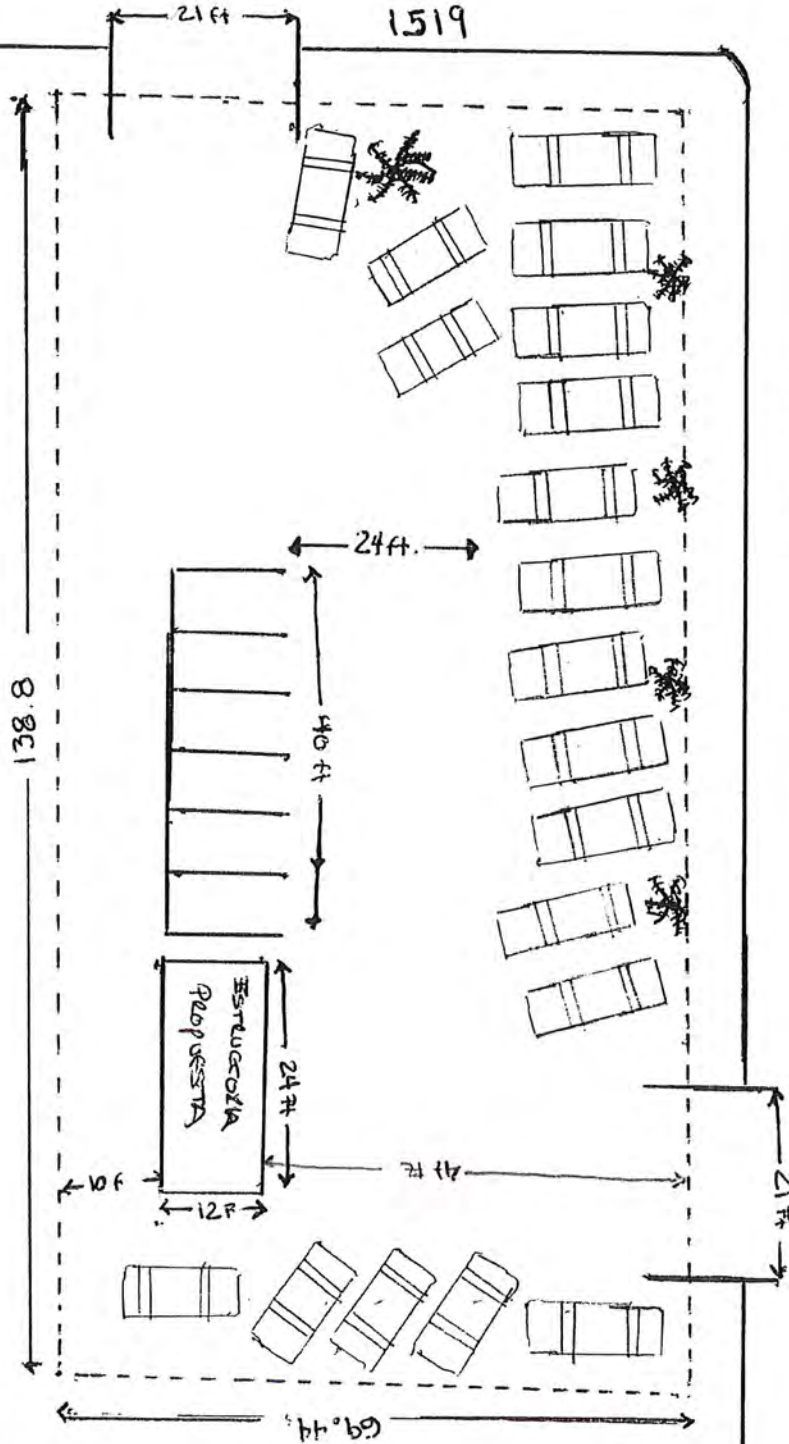


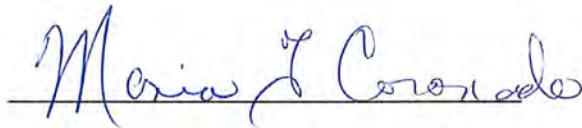
EXHIBIT "A"

11/29/2016

City Laredo

Conditional use Permit Application

El giro del negocio HTO AUTO&TRUCKS SALES, INC. es un Car Lot Used (venta de autos usados, NO se tendrá taller de reparación, será solo exclusivo para exhibición de autos) el cual tendría tres empleados, con un horario de 10:00 - 19:00 hrs. De lunes a sábado.

A handwritten signature in blue ink, reading "Maria Teresa Coronado", written over a horizontal line.

Maria Teresa Coronado

EXHIBIT "B"

Section 24.63. Permitted Uses

Residential Districts											RETAIL	Non-Residential Districts										
AG	R-1	R-1A	R-1B	R-1-MH	R-2	R-3	RSM	RS	R-O	USE CODE	Uses	Notes	AE	B-1	B-1R	CBD	B-3	B-4	M-1	M-2	MXD	
										5211	Building Material Sales						X	X	X	X	X	
										5251	Hardware Store		X	X		X	X	X	X	X	X	
										5261	Lawnmower Sales and/or Repair			X		X	X	X	X	X	X	
											Florist		X	X		X	X	X	X	X	X	
X										5261	Plant Nursery (Outside Storage)		X	X		X	X	X	X	X	X	
										5311	Department Store		X	X		X	X	X	X	X	X	
										5331	Variety Store		X	X		X	X	X	X	X	X	
										5411	Convenience Store (Drive Through)		X	X		X	X	X	X	X	X	
										5541	Auto Repair (minor repairs)		X	X		X	X	X	X	X	X	
										5431	Fruit and/or Vegetable Store		X	X		X	X	X	X	X	X	
										5441	Confectionery Store (Retail)		X			X	X	X	X	X	X	
										5461	Bakery (Retail)		X			X	X	X	X	X	X	
										5015	Used Auto Supply Part Store(no on-site salvage)			X		X	X	X	X	X	X	
										5531	Auto Supply Store (new parts)			X		X	X	X	X	X	X	
										5541	Gasoline Service Station		X	X		X	X	X	X	X	X	
										5511	Auto Dealer (Primarily New/Used)					X	X	X	X	X	X	
										5521	Auto Dealer (Primarily Used)					X	X	X	X	X	X	
										5551	Boat Dealer/Sales Only			X		X	X	X	X	X	X	
											Grocery Store		X	X		X	X	X	X	X	X	
											Meat Market & Butcher Shops		X	X		X	X	X	X	X	X	
											Smoking Establishment							S	S	S		
											Drug and Tobacco Paraphernalia Shop (a/k/a Head Shop)								S	S		
											Tobacco Shop							S	S	S		
											Artist Supply		X	X		X	X	X	X	X	X	

LEGEND:

X

Permitted

S

Special Use Permit

LEGEND:

X	Permitted
S	Special Use Permit

Date: 11-22-93 (Amended Ord. No. 93-O-228, 11/22/93; 2010-O-084, 7/8/10; 2014-O-153, 11/17/2014; 2015-O-124, 9/21/15; 2015-O-124, 9/21/15; 2015-O-126, 9/21/15)

Land Use Charts



ZC-13-2017
1519 San Pedro St.
Lot 4, Block 848,
Eastern Division



City Council-Regular

Meeting Date: 03/20/2017

Initiated By: Horacio De Leon, Assistant City Manager

Initiated By: Maria Teresa Coronado, Owner/Applicant

Staff Source: Nathan R. Bratton, Planning Director

SUBJECT

2017-O-028 Amending the Zoning Ordinance (Map) of the City of Laredo by repealing Ordinance No. 2015-O-011 and authorizing a Conditional Use Permit for a Auto Dealer (primarily used), on Lot 4, Block 848, Eastern Division, located at 1519 E. San Pedro St.; providing for publication and effective date.

PREVIOUS COUNCIL ACTION

This item was introduced by the Honorable Alberto Torres, Jr. at the regular Council Meeting of February 21, 2017.

BACKGROUND

Council District: IV – The Honorable Alberto Torres, Jr.

Proposed use: Auto Dealer (primarily used).

Site: The site is vacant.

Surrounding land uses: North of the site is Rodriguez Medical Plaza, and multi-family residential developments. South of the site is a welding shop, a low density residential district, high density residential district, Wendy's and Escamilla Auto Sales. East of the site is the Laredo Medical Center complex. To the west of the property is a private parking lot, vacant lot, a low density residential, high density residential district, Burger King, All State Insurance, Nutrition Plus, Photo Image and Saunders T-Shirt Press and Fast Photo & Video.

Comprehensive Plan: The Future Land Use Map recognizes this area as Light Commercial.

Transportation Plan: The Long Range Thoroughfare Plan does not identify Meadow Ave. or San Pedro Street in this area.

Letters sent to surrounding property owners: 29 In Favor: 0 Opposed: 0

COMMITTEE RECOMMENDATION

The P&Z Commission, in a 7 to 0 vote, recommends approval of the Conditional Use Permit.

STAFF RECOMMENDATION

The Laredo Land Development Code (Section 24.63: Permitted Uses) permits Auto Dealer in zones B-3, B-4, M-1, M-2 and MXD. This property is currently zoned B-1. Section 24.94.5(A)(3): Conditional Use Permit Application Submittal Criteria state that, "Applications for properties currently zoned B-1, B-1R, CBD, B-3 or B-4, may only seek conditional use status for those uses permitted by zones B-1R, CBD, B-3, B-4 or M-1 of higher intensity."

Staff supports the proposed Conditional Use Permit for the following reasons:

1. The proposed use is in conformance with the Comprehensive Plan's designation of this area as Light Commercial.
2. The proposed district is consistent with the zones and uses along this section of Meadow Ave.
3. The proposed use will not introduce more intense uses to this area.

Staff recommends the following provisions be attached if approved:

1. The C.U.P. shall be issued to HTO Auto & Truck Sales, Inc. and Maria Teresa Coronado, and is nontransferable.
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14. Owner shall comply with all Building, Fire and Safety Codes, and all applicable codes and regulations as required.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

[Ordinance 2017-O-028](#)

[Zoning Map](#)

[Aerial Map](#)

[Zoning Overview Map](#)

[Future Land Use Map](#)

[Survey and Exhibits](#)

[Pictures](#)

ORDINANCE NO. 2017-O-028

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REPEALING ORDINANCE NO. 2015-O-011 AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN AUTO DEALER (PRIMARILY USED), ON LOT 4, BLOCK 848, EASTERN DIVISION, LOCATED AT 1519 E. SAN PEDRO ST.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-08

ORDINANCE NO. 2017-O-030

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOTS 10 AND E ½ OF LOT 11, BLOCK 1149, EASTERN DIVISION, LOCATED AT 2006 CHIHUAHUA ST., FROM R-O (RESIDENTIAL/ OFFICE DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-09

ORDINANCE NO. 2017-O-032

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 1, BLOCK 1, WINFIELD COMMERCIAL PHASE 13, LOCATED AT 3402 DEL MAR BLVD., FROM B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-11

ORDINANCE NO. 2017-O-037

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 1, BLOCK 1, EJIDO SUBDIVISION, LOCATED AT 3301 SANTA BARBARA ST. FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO B-1 (LIMITED BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-12

ORDINANCE NO. 2017-O-039

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING APPROXIMATELY 70.73 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED AT S OF RANCH ROAD 6086 B, FROM M-1 (LIGHT MANUFACTURING DISTRICT) TO R-1A (SINGLE FAMILY REDUCED AREA DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-14

ORDINANCE NO. 2017-O-040

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING APPROXIMATELY 5.23 ACRES OUT OF DM SANCHEZ TRACT 1, ABSTRACT 277, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED EAST OF BACKWOODS TRAIL AND NORTH OF SHILOH DRIVE., FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1A (SINGLE FAMILY REDUCED AREA DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-15

ORDINANCE NO. 2017-O-045

AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 13 FOOD AND FOOD PRODUCTS; CREATING ARTICLE V URBAN AGRICULTURE; ALLOWING FOR HOME GARDENS, COMMUNITY GARDENS, AND DISTRICT GARDENS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

L-17

ORDINANCE NO. 2017-O-046

AN ORDINANCE OF THE CITY OF LAREDO TEXAS, AMENDING CHAPTER 28, STREETS, SIDEWALKS AND PUBLIC PLACES, ARTICLE V, COMMERCIAL USE OF STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, OF THE CODE OF ORDINANCES BY AMENDING SECTION 28-101 TO PROVIDE AN EXCEPTION FOR STREET PERFORMERS IN THE CENTRAL BUSINESS DISTRICT; AMENDING SECTION 28-102 TO INCLUDE TWO NEW DEFINITIONS: "STREET PERFORMANCE" AND "STREET PERFORMER"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

L-18

ORDINANCE NO. 2017-O-033

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 1, BLOCK 1, WINFIELD COMMERCIAL PHASE 12, LOCATED AT 3320 DEL MAR BLVD., FROM B-1 (LIMITED COMMERCIAL DISTRICT) TO B-3 (COMMUNITY BUSINESS DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

L-22

Property includes contents of the following tenants:

Unit# A-8 Jose Guadalupe Juarez- Personal Items
Unit# A-9 Jorge Antonio Castillo Lopez- Bicycles, small fridge, chairs
Unit# A-12 Virginia A. Martinez- Small furniture, personal items
Unit# A-26 San Juana de Leon- Stove, furniture, personal items
Unit# A-31 Enriqueta A. Cruz- Furniture, personal items
Unit# A-48 Laura de Jesus Pena- Electric stove, toys, clothes
Unit# B-10 Martha P. Jimenez- Furniture
Unit# B-38 Ricardo Saldana- Furniture, refrigerator, t.v.
Unit# B-63 Maryssa I. Gonzalez- Washer/dryer, furniture, personal items
Unit# C-13 Thelma Rodriguez Reyes- Chairs, personal items
Unit# C-40 Rafael Ramirez Garcia- Clothes bales
Unit# D1-A Camelia Fuentes Gonzalez- Mattress, clothes, personal items
Unit# D2-C Gerardo Martinez- Motorcycle parts

For more information, contact Juanita Iglesias at (956) 727-3711 or Trevino Mini Storage, 5902 Santa Maria Ave., Laredo, Texas 78041.

L-02

AN ORDINANCE AUTHORIZING THE AMENDMENT TO GRANT A NON-EXCLUSIVE FRANCHISE TO RUBIO'S DEVELOPMENT INC. DBA R-WASTE TO USE THE PRESENT AND FUTURE STREETS, AVENUES, ALLEYS, ROADS, HIGHWAYS, SIDEWALKS, EASEMENTS AND OTHER PUBLIC RIGHTS-OF-WAY OF THE CITY OF LAREDO, TEXAS FOR PURPOSES OF CONSTRUCTING, MAINTAINING AND OPERATING A COMMERCIAL CONTAINER REFUSE GATHERING AND DISPOSING SERVICE, SETTING FORTH TERMS AND CONDITIONS TO GOVERN THE FRANCHISE; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

L-24

Eco-Site is proposing to construct a 100-foot overall height monopole telecommunications structure located at 3319 San Bernardo Avenue, Laredo, Webb County, Texas. Eco-Site invites comments from any interested party on the impact the proposed undertaking may have on any districts, sites, buildings, structures or objects significant in American history, archaeology, engineering, or culture that are listed or determined eligible for listing in the National Register of Historic Places. Comments pertaining specifically to historic resources may be sent to Environmental Corporation of America, ATTN: Dina Bazzill, 1375 Union Hill Industrial Court, Suite A, Alpharetta, Georgia 30004. Ms. Bazzill can be reached at (770) 667-2040 ext. 111. Comments must be received within 30 days of the date of this notice. T0774

L-07

The Housing Authority of the City of Laredo (LHA) is seeking proposals/responses from qualified, licensed and bonded entities to provide:

1. Title Insurance for the Russell Terrace Revitalization Project. (Request for Qualifications/ RFQ)
2. Housing Quality Standards (HQS) Inspection Services (Request for Proposals/ RFP)

Responses to the Requests for Proposals (RFP) must be received no later than 11:00 a.m. April 21, 2017. The documents are available for downloading at our Procurement Portal at www.larha.org or call the LHA Procurement Office at (956)722-4521 ext. 246.

All responses are to be received at the Laredo Housing Authority, Procurement Department, 2000 San Francisco Ave., Laredo, Texas 78040.

The Housing Authority of the City of Laredo, Texas reserves the right to reject any and all proposals or to select the proposal that is in the best interest of the Housing Authority of the City of Laredo.

L-03

1. Owner,
id., A/C,
n, \$3,200.
218
star, 6 cyl.
l. \$1,600.
1742
tra, a/c,
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AN ORDINANCE REPEALING ORDINANCE 2016-O-171 AUTHORIZING CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE SALE OF THE "SURFACE ONLY" OF A 6.9441 ACRE TRACT TO AEP TEXAS CENTRAL COMPANY; AUTHORIZING CITY MANAGER TO ADVERTISE THE PUBLIC SALE OF SAID TRACT WHICH IS LEGALLY DESCRIBED AS AN UNIMPROVED 6.9441 ACRE TRACT, RECORDED IN VOLUME 3806, PAGES 442-454, OFFICIAL PUBLIC RECORDS OF WEBB COUNTY, TEXAS SITUATED IN PORCION 23 (A-283), LEONARDO SANCHEZ, ORIGINAL GRANTEE, IN THE COUNTY OF WEBB, LAREDO, TEXAS AND MORE PARTICULARLY DESCRIBED IN ATTACHED, EXHIBIT "A"; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

L-20