

City Council- Regular Meeting

Meeting Date: 02/20/2024

Initiated By: Jose A. Valdez Jr. Assistant City
Manager/City Secretary

Initiated By: Joel & Yvonne Rodriguez,
Owner/Applicant

Staff Source: Vanessa Guerra, Interim Planning Director

SUBJECT

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for Building Material Sales with Outside Storage on Lots 7, 8, & 9, Block 1281, Eastern Division, located at 2220 and 2208 Market Street.

The Planning and Zoning Commission recommended **approval** of the proposed conditional use permit and staff **supports** the application.

ZC-015-2024

District III

PREVIOUS COUNCIL ACTION

None.

BACKGROUND

Council District: III - Cm. Melissa R. Cigarroa

Existing Zoning: B-3 (Community Business District)

Proposed use: Building Material Sales with Outside Storage (Stone/Granite Sales)

Site: The site is currently occupied by a commercial structure.

- On January 11, 2024, an inspection was conducted at the site and revealed the location to be operating without a certificate of occupancy.

Surrounding land uses: To the north of the site is Rosario Street, single-family and multi-family residential uses, and a communication tower. To the east of the site is Jarvis Avenue, commercial and single-family residential uses, and the Texan Mexican Railway. To the south of the site is Market Street and the Texas Mexican Railway. To the west of the site is commercial and residential uses and Bartlett Avenue.

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 Market Street as a Major Collector.

www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf

Letters sent to surrounding property owners: 20 **In Favor:** 2 **Opposed:** 0

COMMITTEE RECOMMENDATION

The Planning & Zoning Commission in an 8 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 sections 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 **supports** the proposed conditional use permit for the following reasons:

1. The proposed use is not anticipated to have a negative impact in the surrounding area or neighborhood.
2. The proposed use is compatible with the surrounding area.
3. There are other intense uses in the vicinity, such as the proximity of the railroad and the existing Advance Auto Collision located towards the southeast of the site.

If approved, Staff suggests the following conditions:

1. The hours of operation shall be limited to, Monday to Friday, 8:00 A.M. to 6:00 P.M.
2. All services pertaining to the cutting of stone shall be limited to the structure located east of the property (north of Market Street and west of north Jarvis Avenue) and is approximately 1,430 square feet.
3. All cutting of stone pertaining to the business shall be operating in a wholly enclosed building.
4. All parking pertaining to the business shall be provided within the property boundaries including but not limited to customer parking, employee parking, or business vehicle parking or portion therefore.
5. Applicant shall provide a total number of 2 parking spaces as per the City of Laredo Land Development Code within the property boundaries.
6. All parking shall be prohibited on the land owned by the Texas Mexican Railway Company.
7. Head-in parking shall be prohibited as per the Laredo Land Development Code.
8. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
9. No hazardous materials shall be stored in the facility. Hazardous occupancy and the storage of hazardous material shall be prohibited on the premises. The determination of a hazardous occupancy or material shall be made by the Fire Chief as per the Laredo Land Development Code, Section 24.74.3(d). Hazardous materials shall be defined as stated in the City of Laredo Code of Ordinances, Sec. 33-20.
10. Lighting of property shall be directed away from any residential uses and towards the property to avoid adverse impact on adjacent residential neighborhoods.
11. Landscaping shall be provided in accordance with the City of Laredo Land Development Code. The applicant shall provide 5 trees abutting the public street right of way of Market Street.
12. The owner shall provide a block or cement fence 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.
13. The establishment shall be kept in a sanitary condition.
14. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
15. Signage shall be consistent with the City's Sign Ordinance.

16. 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. 16.
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.
17. The proposed use shall undergo an annual Fire Inspection.
18. 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.
19. Owner shall comply with, Building, Health, Safety, and all applicable codes and regulations as required.
20. Vehicle entrance access shall be limited to Market Street. Access along Jarvis Avenue shall be prohibited.

Staff **supports** the application.

Is this change contrary to the established land use pattern?

No, the zone will not change.

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

No, the zone will not change.

Will change adversely influence living conditions in the neighborhood?

Possibly. The proposed use is not anticipated to negatively impact the surrounding area or neighborhood.

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

Yes. The underlying zone does not allow for building material sales with outside storage as intended by the applicant.

Attachments

Maps
Narrative
Citation
Signage
Draft
Ord.
