

## City Council-Regular Meeting

**Date:** 06/16/2025

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

**Initiated By:** Luis A. Estrada Properties LLC., Owner; Luis A. Estrada, Applicant/Representative

**Staff Source:** Vanessa Guerra, MPA, AICP, 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 restaurant (drive thru) on Lot 6, Block 1, Alexander Commercial Subdivision, Phase 1 located at 7617 Peacefulmeadow Court, Unit A26 (approximately 1,983 square feet).

The Planning and Zoning Commission recommended **approval** of the proposed conditional use permit with the addition of two (2) conditions. One condition will identify the door, next to the drive thru window, will not be in service. The other condition will identify only one drive thru lane instead of the two proposed lanes as shown in Exhibit A. However, staff **does not support** the application.

**ZC-036-2025**

**District V**

### PREVIOUS COUNCIL ACTION

On June 7, 2004, the City Council approved a zone change of a B-1 zoning to a B-3 zoning, on Lot 7, Block 1, Alexander Commercial Subdivision, Phase 1 located at 7619 Rocio Drive. (Ordinance Number 2004-O-117 – Tacos Kissi).

On August 4, 2014, the City Council approved a special use permit for a restaurant serving alcohol, on Lot 7, Block 1, Alexander Commercial Subdivision, Phase 1 located at 7619 Rocio Drive. (Ordinance Number 2044-O-087 – Tacos Kissi).

### BACKGROUND

**Council District:** V – Cm. Ruben Gutierrez, Jr.

**Proposed use:** The proposed use is a restaurant with a drive thru (PJ's Coffee House of New Orleans).

**Minimum Zoning District Required for Proposed Use:** B-3 (Community Business District) zoning district.

**Current Zoning District:** The site is currently zoned as a B-1 (Limited Business District) zoning district.

**Site:** The site is occupied by a commercial plaza, which includes Tacos Kissi, TopLine Nutrition, Fit Room One, Succulenta, Sara's Boutique, and other commercial businesses.

**Surrounding land uses:** To the north of the site is Taco Kissi, East Del Mar Boulevard, and single family residential uses. To the east of the site is a commercial plaza, which

includes, La Finca Bruncheria, and Café, Del Mar Barbershop, and Scratch Sandwich Company and Brunch. To the south of the site is Peacefulmeadow Court and a commercial plaza, which includes, Lollipop Learning Center, Mundo Montessori, Lily Hachar Dance Studio, and Royal Party Palace. To the west of the site is Rocio Drive and a commercial plaza, which includes, Marble Slab Creamery, Jujuce Cold Pressed Juicery, Casa Blanca Specialty Coffee, and Popeyes Louisiana Kitchen.

**Comprehensive Plan:** The Future Land Use Map recognizes this area as Neighborhood Mixed Use.

<https://www.cityoflaredo.com/LaredoPlanning/wp-content/uploads/2021/03/viva-laredo-city-of-laredo-comprehensive-plan.pdf#page=39>

**Transportation Plan:** The Long Range Thoroughfare Plan does not identify Peacefulmeadow Court or Rocio Drive. However, it does identify East Del Mar Boulevard as a Modified Major Arterial.

[www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan\\_2021.02.11.pdf](http://www.laredompo.org/wp-content/uploads/2021/05/2021-Future-Thoroughfare-Plan_2021.02.11.pdf)

**Letters sent to surrounding property owners:** 25

**Inside 200' Radius:** In Favor: 0 Opposed: 0

**Outside 200' Radius:** In Favor: 0 Opposed: 0

### COMMITTEE RECOMMENDATION

The Planning & Zoning Commission in a 6 to 0 vote recommended **approval** of the conditional use permit with the addition of two (2) conditions. One condition will identify the door, next to the drive thru window, will not be in service. The other condition will identify only one drive thru lane instead of the two proposed lanes as shown in Exhibit A.

### 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 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 restaurant (drive thru) and commercial structure = 218 parking spaces
  - Proposed restaurant (drive thru) requires = 10 parking spaces
  - Required remaining commercial structure = 208 parking spaces
  - Actual amount identified on site plan = 182 parking spaces
  - Therefore, the proposed site would need an additional 36 parking spaces.
2. The proposed use is anticipated to have a negative impact in the surrounding area or neighborhood due to the high increase in traffic, which includes possible traffic

spill over and inadequate queuing.

3. As per the attached "Exhibit A" page 2, there is a proposed second drive thru lane with 4 additional parking spaces. After a preliminary review with the Building Development Services Division, the proposed design does not meet the maneuvering space requirements. As per the Land Development Code, Ordinance No. 90-O-107, the required minimum width for aisle (maneuvering) space is 24 feet.

General Comments:

1. The approval of the conditional use permit does not guarantee the issuance of the building permit.
2. The use authorized by the conditional use permit is required to abide by all relevant municipal codes.

If approved, Staff suggests the following conditions

1. The Conditional Use Permit is restricted to approximately 1,983 square feet located within Unit A26, as per Exhibit A, which is made part hereof for all purposes.
2. The hours of operation shall be limited to, Monday – Sunday, 6:00am to 10:00pm.
3. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
4. Landscaping shall be provided and maintained for the complete duration in accordance with the City of Laredo Land Development Code.
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 establishment 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.
8. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
9. 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. Any outdoor music shall be at the decibel levels stated in the City of Laredo Code of Ordinances, Article XI, Noise Nuisances
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, Fire, Environmental, and all applicable codes and regulations as required.

15. The proposed use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems.

16. The operating characteristics of the use shall not create a nuisance and the impacts of the use on surrounding properties shall be minimized with respect to noise, odors, vibrations, glare, and any other similar conditions.

17. The proposed use shall satisfy any applicable goals and policies of the Comprehensive Plan.

18. The approval of the conditional use permit does not guarantee the issuance of the building permit.

19. The use authorized by the conditional use permit is required to abide by all relevant municipal codes.

Staff **does not support** the application.

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

There are similar uses in the area.

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

The zoning will not change.

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

Possibly.

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

Yes. The existing B-1 does not allow for a restaurant (drive-thru) as intended by the applicant.

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## **Attachments**

Maps

Narrative

List of Tenants

Site Plan

Zone Change Signage

Draft Ordinance

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