

City Council-Regular Meeting

Date: 05/19/2025

Initiated By: Ramon Chavez, Assistant City Manager

Initiated By: Clear Choice ER LLC, Owner; Oscar Buitron, Applicant;
Edward Ochoa P.E., S.I.T., Representative

Staff Source: Vanessa Guerra, Planning Director

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 hospital on Lot 1, Block 3, Clear Choice 2: Alexander Bartlett Commercial, Phase 15, and Lot 2, Block 3, Clear Choice: Alexander Bartlett Commercial, Phase 15, located at 7101 and 7105 North Bartlett Avenue.

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

ZC-033-2025

District V

PREVIOUS COUNCIL ACTION

None.

BACKGROUND

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

Proposed use: The proposed use is a hospital.

Minimum Zoning District Required for Proposed Use: B-4 (Highway Commercial District) zoning district.

Current Zoning District: The site is currently zoned as a B-3 (Community Business District) zoning district.

Site: The site is occupied by a 24 hour emergency room clinic (Clear Choice ER / Cigarroa Clinic) on Lot 2, and Lot 1 is currently vacant land, where the proposed extension will be located.

Surrounding land uses: To the north of the site is North Bartlett Avenue and vacant land. To the east of the site is a commercial plaza, which includes medical offices, such as, ObGyn Associates of Laredo, Laredo Wellness and Aesthetics, and LSMC – Sports/Orthopedics/Therapy. To the south of the site is single family residential uses. To the west of the site is Sidney Sheldon Drive and vacant land.

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 identifies Bartlett Avenue as a collector.

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

Letters sent to surrounding property owners: 37

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.

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. The property is zoned B-3 (Community Business District) zoning district.

Staff **does not support** the proposed conditional use permit for the following reasons:

1. As per the Viva Laredo Comprehensive Plan, larger health care providers, such as hospitals, should be located on major corridors and transit routes so that they can be more accessible to a larger base of patients (Chapter 7: Health, Section: Strategies 7.9, page 322). Bartlett Avenue is identified as a collector on the Thoroughfare Plan.
2. The property abuts an area of residential uses to the east of the site. Therefore, the proposed use may have a negative impact on the surrounding area or neighborhood due to noise and traffic.
3. The proposed use is not compatible with the residential uses in the surrounding area or neighborhood.

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 the site plan, "Exhibit A", which is made part hereof for all purposes.
2. The hours of operation shall be limited to, Sunday – Saturday, 24 hours a day, seven (7) days a week.
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. 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.
10. 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.
11. The proposed use 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: 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.
13. Owner shall comply with Building, Health, Safety, Fire, Environmental, and all applicable codes and regulations as required.
14. The establishment shall be kept in a sanitary condition.
15. The establishment shall follow proper protocols in handling and disposing of hazardous and medical waste.
16. Smoking is prohibited as per the Code of Ordinances Section 15-1: Smoking In hospitals.
17. In areas where smoking is prohibited, signs shall be posted with "No Smoking" by the appropriate hospital institution authorities as per the Code of Ordinance, Section 15.1(f).
18. The proposed use shall follow all healthcare standards as identified by Occupational Safety and Health Administration (OSHA).
19. The proposed use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems.
20. 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.

21. The proposed use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features.
22. The proposed use satisfies any applicable goals and policies of the Comprehensive Plan.
23. The approval of the conditional use permit does not guarantee the issuance of the building permit.
24. 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 existing medical uses and medical offices in the area. However, there are single family residential uses to the south of the site.

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.

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 hospital as intended by the applicant.

Attachments

Maps
Narrative
Site Plan
Zone Change Signage
Draft Ordinance
