

## City Council-Regular

**Meeting Date:** 01/16/2024

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

**Initiated By:** Agnes Maria Lecea, Owner, Leopoldo L. Flores,  
Representative

**Staff Source:** Orlando D. Navarro, 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 Child Development Center - Daycare Center on Lots Number 1, 2, and the West 15 feet of Lot 3, Block 1573, Eastern Division, located at 2601 Cleveland Street.

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

**ZC-007-2024**

**District III**

### PREVIOUS COUNCIL ACTION

None.

### BACKGROUND

**Council District:** III - Cm. Melissa R. Cigarroa

**Proposed use:** Child Development Center - Daycare Center

**Site:** The site is currently occupied by a residential structure.

**Surrounding land uses:** To the north of the site is Cleveland Street and Menaj Properties (apartments). To the east of the site is residential uses and South Louisiana Avenue. To the south of the site is residential uses and Blaine Street. To the west of the property is South Texas Avenue and vacant land.

**Comprehensive Plan:** The Future Land Use Map recognizes this area as Medium Density Residential.

<https://www.openlaredo.com/planning/>

[2017 Comprehensive Plan-Viva Laredo.pdf#page=39](https://www.openlaredo.com/planning/2017%20Comprehensive%20Plan-Viva%20Laredo.pdf#page=39)

**Transportation Plan:** The Long Range Thoroughfare Plan does not identify Cleveland Street nor Texas Avenue.

[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: 22    In Favor: 0    Opposed: 1**

### **COMMITTEE RECOMMENDATION**

The Planning & Zoning Commission in a 7 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.

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

1. The site plan is not code compliant.
  - Staff recommends the applicant to speak to the Building Development Service Department for site plan conformance.
2. The proposed use is not compatible with the surrounding area and neighborhood.

If approved, Staff suggests the following conditions:

1. The hours of operation shall be limited to, Monday to Friday, 6:00 A.M. to 7:00 P.M.
2. Applicant shall assure site plan, identified as Exhibit A, is in compliance with the Land Development Code. The site plan shall include but not limited to identify parking, drop off lane, structures, uses of structures, landscaping, or portion therefore.
3. 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.
4. Applicant shall provide a total number of 7 parking spaces as per the City of Laredo Land Development Code.
5. Lighting of property shall be directed away from any residential uses and towards the property to avoid adverse impact on adjacent residential neighborhoods.
6. Landscaping shall be provided in accordance with the City of Laredo Land Development Code.

7. 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.
8. The establishment shall be kept in a sanitary condition.
9. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
10. Signage shall be consistent with the City's Sign Ordinance.
11. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
12. 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.
13. 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.
14. The proposed use shall undergo an annual Fire Inspection.
15. 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.
16. Owner shall comply with, Building, Health, Safety, and all applicable codes and regulations as required.

Staff **does not support** the application.

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

Yes, the area is surrounded primarily by residential uses.

**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 may be 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 a child development center - daycare center as intended by the applicant.

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## **Attachments**

Maps

Narrative

Site Plan

Signage

Ordinance - Draft

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