

ORDINANCE NO. 2026-O-134

AMENDING THE ZONING ORDINANCE MAP OF THE CITY OF LAREDO BY AMENDING ORDINANCE 2022-O-185, WHICH AUTHORIZED A SPECIAL USE PERMIT FOR A RESTAURANT SERVING ALCOHOL ON LOT 5A, BLOCK 1, ENCINO PLAZA SUBDIVISION, UNIT 2A, LOCATED AT 7518 MCPHERSON ROAD, SUITE 510 (4,176 SQUARE FEET) IN ORDER TO REMOVE COSMOS BAR AND GRILL AND ENCINO PLAZA, INCORPORATED AND REPLACE WITH COSMOS BAR & GRILL-LOMBRANA PROPERTIES AS THE PARTIES TO WHOM THE PERMIT IS ISSUED AND TO AMEND THE SITE PLAN TO ADD ADDITIONAL SQUARE FOOTAGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received to amend the Executed Ordinance 2022-O-185, which authorized a Special Use Permit for a restaurant serving alcohol on Lot 5A, Block 1, Encino Plaza Subdivision, Unit 2A, located at 7518 McPherson Road, Suite 510 (4,176 square feet) in order to remove Cosmos Bar and Grill and Encino Plaza, Incorporated and replace with Cosmos Bar & Grill-Lombrana Properties as the parties to whom the permit is issued and to amend the site plan to add additional square footage; 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 May 21, 2026; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the issuance of the Special Use Permit Amendment; and,

WHEREAS, notice of the Special Use Permit Amendment 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 June 15, 2026, on the request and finds the Special Use Permit Amendment 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: Ordinance 2022-O-185, which authorized a Special Use Permit for a restaurant serving alcohol on Lot 5A, Block 1, Encino Plaza Subdivision, Unit 2A, located at 7518 McPherson Road, Suite 510 (4,176 square feet) in order to remove Cosmos Bar and Grill and Encino Plaza, Incorporated and replace with Cosmos Bar & Grill-Lombrana Properties as the parties to whom the permit is issued and to amend the site plan to add additional square footage.

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

1. ~~The Special Use Permit is issued to Junction Partners, LTD and Encino Plaza LTD for Cosmos Bar and Grill Restaurant, and is non-transferable. The Special Use Permit is issued to Cosmos Bar & Grill Encino Plaza, Inc., and may only be transferred upon application to and with the express permission of the City Council. The Special Use Permit is issued to Cosmos Bar & Grill - Lombrana Properties, and is non-transferable.~~
2. ~~The Special Use Permit is restricted to 3,700 S.F. of area on Building C, Suite 510, as per the site plan, Exhibit "A", which is made part hereof for all purposes. The Special Use Permit is restricted to 4,176 square feet of area on Building C, Suite 510, as per the site plan, "Exhibit A-1", which is made part hereof for all purposes.~~
3. ~~The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from Monday through Sunday from 11:00 a.m. through 2:00 a.m. The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from Monday through Sunday from 11:00 a.m. to 11:00 p.m. The Special Use Permit is restricted to a restaurant serving alcohol and hours of operation from Monday through Sunday from 11:00 a.m. through 2:00 a.m.~~
4. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
5. Signage shall be consistent with the City's Sign Ordinance and TABC rules or regulations.
6. Off-street parking shall be provided in accordance with the City of Laredo Land Development Code.
7. ~~Ambient low level music is permitted.~~ Live music and speakers shall be prohibited and 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.
8. There shall not be any outdoor amplified music, use of any outdoor amplified sound system, excessively loud generators, outdoor speakers, and/or any outdoor moving or flashing lights. The applicant must comply with all city noise ordinances and all provisions of the City of Laredo Code of Ordinances.

- ~~8.~~ 9. At all times the restaurant is open to the public for business; it shall continually maintain and serve food from its full-service menu.
- ~~9.~~ 10. The restaurant shall not exceed the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load issued to SUP business holder.
- ~~10.~~ 11. The restaurant 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.~~ 12. The restaurant shall undergo an annual Fire Inspection.
- ~~12.~~ 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 Food Manager License (annual), Food Handler's Permit (annual), and Certificate of occupancy with Occupant Load, Occupant Load being the approved capacity of a building or portion thereof.
- ~~13.~~ 14. Landscaping of property shall be provided in accordance with the City of Laredo Land Development Code.
- ~~14.~~ 15. Lighting of property shall be screened and face inward to avoid adverse impact on adjacent residential neighborhoods.
- ~~15.~~ 16. Owner shall provide a 7' high opaque fence along property lines which abut or adjoin any residential zones/uses.
- ~~16.~~ 17. Owner shall comply with, Building, Health, Life and Safety, and all applicable codes and regulations as required.
- ~~17.~~ 18. The Restaurant shall maintain and comply with the BLUE Gun Sign regulations as per TABC (not to exceed the required alcohol sales percentages).
- ~~18.~~ 19. The restaurant shall provide the City of Laredo, Planning Department with a copy of the current TABC License to include but not limited to any renewals or amendments as they occur.

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 Special Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.93.12.12, entitled "Enforcement and Revocation of Special Use Permit Revocation," according to the criteria and procedures described therein and below:

1. Enforcement and Revocation of Special Use Permit Revocation

If it is determined based on inspection by the Planning Director or reasonable investigation by the City Manager, or his designee, that there exist reasonable grounds for revocation of a

Special User Permit, a public hearing shall be set before the Zoning Commission and the City Council.

- A. Circumstances that warrant revocation of an approved special use permit include, but shall not be limited to, any of the following:
 - 1. Any Violation of any of the conditions of the special use permit if not corrected to the satisfaction of the City within 90 days of the owner having received written notice of the violation and the means necessary to correct it;
 - 2. A plea of guilty or no-contest to an offense that that occurs on the property for which the special use permit is granted involving any zoning ordinance or provision of the City's Land Development Code;
 - 3. The building, premise, or land uses under the special use permit is enlarged, modified, structurally altered, or otherwise significantly changed without the approval of a separate special use permit for such enlargement, modification, structural alteration or change;
 - 4. Violation of any provision of the site plan encompassing the property for which the special use permit was issue for, terms or conditions of a special use permit;
 - 5. The special use permit was obtained by fraud or with deception.
- B. Revocation process. The revocation process shall be conducted through a public hearing and recommendation by the Zoning Commission, followed by a public hearing and ordinance amendment consideration by the City Council. The City Council ma revoke the special use permit, deny the revocation and allow the sue to continue, or deny the revocation and amend the special use permit to attach conditions to assure that the terms, conditions and requirements of the special use permit be met.
- C. Effect of revocation. Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the special use permit. Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE _____ DAY OF _____, 2026.

DR. VICTOR D. TREVINO
MAYOR

ATTEST:

MARIO I. MALDONADO, JR.
CITY SECRETARY

APPROVED AS TO FORM:

DOANH “ZONE” T. NGUYEN
CITY ATTORNEY