

## City Council-Regular Meeting

**Date:** 07/21/2025

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

**Initiated By:** Smartcom Telephone, LLC, Owner/Applicant; Alan Yoder, Representative

**Staff Source:** Vanessa Guerra, MPA, AICP, Planning Director

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### SUBJECT

**2025-O-122** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a conditional use permit for a Phone Exchange/Switching Station on Lot 2, Block 54, Calton Gardens Subdivision No. 2, located at 5409 Springfield Avenue.

**ZC-052-2025**

**District IV**

### PREVIOUS COUNCIL ACTION

On June 16, 2025, City Council made a motion to introduce the item.

### BACKGROUND

**Council District:** IV - Cm. Ricardo Garza

**Proposed use:** The proposed use is a Phone Exchange/Switching Station.

- Description: A phone exchange / switching station is a facility in a telecommunications network that connects telephone calls by routing them from one phone line to another.

**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 vacant commercial building.

**Surrounding land uses:** To the north of the site is Roofing Aftermath Solutions Inc, Shining Stars Learning Academy, Graphitiks Advertising Design, Del Rio Law Firm, SeniorMed Primary Care Center, Ariva Mortgage, and Hillside Road. To the east of the site is Zacate Creek and single family residential uses. To the south of the site is Dr. S.A. Rafati, Diagnostic Clinic, Sunport M.R.I., Castaneda Court, single family uses, multifamily uses (apartments). To the west of the site is Springfield Avenue and a commercial plaza, which includes the following business, David Garcia Attorney at Law, P.C., Didak Inc., El Sombrero azul, Viejos Tiempos Barber Shop, Knickerbocker Law, Heavenly Hair, and Por Vida Tattoos.

**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 Springfield Avenue as a minor 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:** 46

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

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

### **COMMITTEE RECOMMENDATION**

The Planning & Zoning Commission in a **5** 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 a B-3 (Community Business District) zoning district.

Staff **supports** the proposed conditional use permit for the following reasons:

1. The proposed use is not anticipated to have a negative impact since the phone switching station does not generate noise or vibrations.
2. In addition, the proposed use is not anticipated to have excessive traffic or large vehicles transiting the areas since it will be an unmanned equipment building as per the description in the narrative.

Additional Comments:

1. Should the owner plan to sell the single family residential detached uses, the owner shall subdivide the properties and shall be responsible to apply for the appropriate zoning requirements.

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 Exhibit A, which is made part hereof for all purposes.
2. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
3. Landscaping shall be provided and maintained for the complete duration in accordance with the City of Laredo Land Development Code.

4. 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.
5. The establishment must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
6. Signage shall be consistent with the City's Sign Ordinance.
7. On-site parking shall be provided in accordance with the City of Laredo Land Development Code.
8. 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.
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 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.
15. No commercial vehicle that exceeds one (1) ton in manufacturer's gross vehicle weight rating (GVWR) or that has more than two (2) axels, nor any commercial or utility trailer, shall be parked or stored in any manner on the property.
16. The use authorized by the conditional use permit is required to abide by all relevant municipal codes.

Staff **supports** the application.

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

No. The area is predominately single family 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?**

It is not anticipated to have a negative impact on the neighborhood.

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

Yes. The existing R-1 does not allow for a second single family residential detached as intended by the applicant.

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**Attachments**

Maps

Narrative

Site Plan

Zone Change Signage

Final Ordinance

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