

ORDINANCE NO. 2016-O-015

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A CONDITIONAL USE PERMIT FOR AN IMPOUND LOT ON LOTS 3 AND 4, BLOCK 807, EASTERN DIVISION, LOCATED AT 306 AND 316 SOUTH MEADOW AVENUE; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for an impound lot on Lots 3 and 4, Block 807, Eastern Division, located at 306 and 316 South Meadow Avenue; 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 December 17, 2015; and,

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

WHEREAS, notice of the zone change 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 January 19, 2015, on the request and finds the Conditional Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence; 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: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for an impound lot on Lots 3 and 4, Block 807, Eastern Division, located at 306 and 316 South Meadow Avenue.

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

1. The C.U.P. shall be issued to Jorge A. Vasquez and is nontransferable.
2. The C.U.P. is restricted to an auto impound lot with operating hours from 8:00 a.m. through 5:00 p.m. from Monday through Friday.
3. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
4. Signage is limited to that allowed in a B-1 District.
5. All areas used for storage of vehicles must be fully paved.
6. No storage of inoperable or junk vehicles.
7. Owner shall provide parking places in compliance with Section 24.78 of the Laredo Land Development Code. ADA-compliant parking space(s) shall be required.
8. Off-site parking is prohibited.
9. Owner shall provide and maintain trees and shrubs in compliance with Section 24.83 of the Laredo Land Development Code.

10. Owner shall provide an opaque fence wall of not less than seven feet in height along property lines which abut or adjoin residential property or residential zoning district, in compliance with Section 24.79 of the Laredo Land Development Code.
11. Lighting of property shall be screened to avoid adverse impact on adjacent residential neighborhoods.
12. Outdoor music and speakers shall be prohibited and there shall be no ground vibrations created or sustained on this site which are perceptible without instruments at any point on any property adjoining this property.
13. No dismantling or chopping of vehicles on premises.
14. The sale and consumption of alcohol on premises is prohibited.
16. Owner shall make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
17. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.
18. No mechanic, auto body or paint work is permitted on site.

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 Conditional Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.94.10, entitled "Revocation," according to the criteria and procedures described therein and below:

1. Criteria

Any Conditional Use Permit, authorized by City Council, shall be considered in noncompliance and shall be revoked and removed from the City of Laredo Zoning Map, in the event a court of law finds the use in violation of any of the following conditions:

- A. The use established on site does not conform, at any time, with any or all permit condition(s) approved by the City Council and or any local, state, or federal law.
- B. The activity authorized by the Conditional Use Permit commences prior to the institution of all conditions imposed by the Conditional Use Permit.
- C. Discontinuance of the Council approved conditional use for a period of six (6) consecutive months.
- D. The use of which the Conditional Use Permit was authorized does not commence within six months of City Council's final approval date.

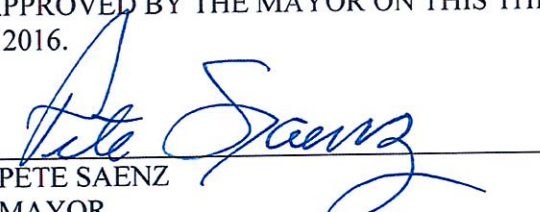
2. Procedures

Should City of Laredo Enforcement Official inspection reveal noncompliance with Laredo Land Development Code, Subsection 24.94.10, Conditional Use Permit revocation procedures shall commence as below stipulated:

- A. A Zoning Officer shall, upon discovery of conditional use permit noncompliance as per Subsection 24.94.10, issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Conditional Use Permit for that location.
- B. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue a written citation.

- C. Should the citation result in a guilty verdict, the City of Laredo shall consider the Conditional Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.
- D. The Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.
- E. In the event of discontinuance or failure to commence as stipulated in Subsection 24.94.10.1 D and E of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Conditional Use Permit's official revocation and removal from the City of Laredo Zoning Map.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE
1ST DAY OF February, 2016.



PETE SAENZ
MAYOR

ATTEST:


DOANH "ZONE" T. NGUYEN
ACTING CITY SECRETARY



APPROVED AS TO FORM:
RAUL CASSO, CITY ATTORNEY


KRISTINA LAUREL HALE
ASSISTANT CITY ATTORNEY





AERIAL MAP

1 inch = 100 feet

Date: 12/3/2015

ZC-10-2016

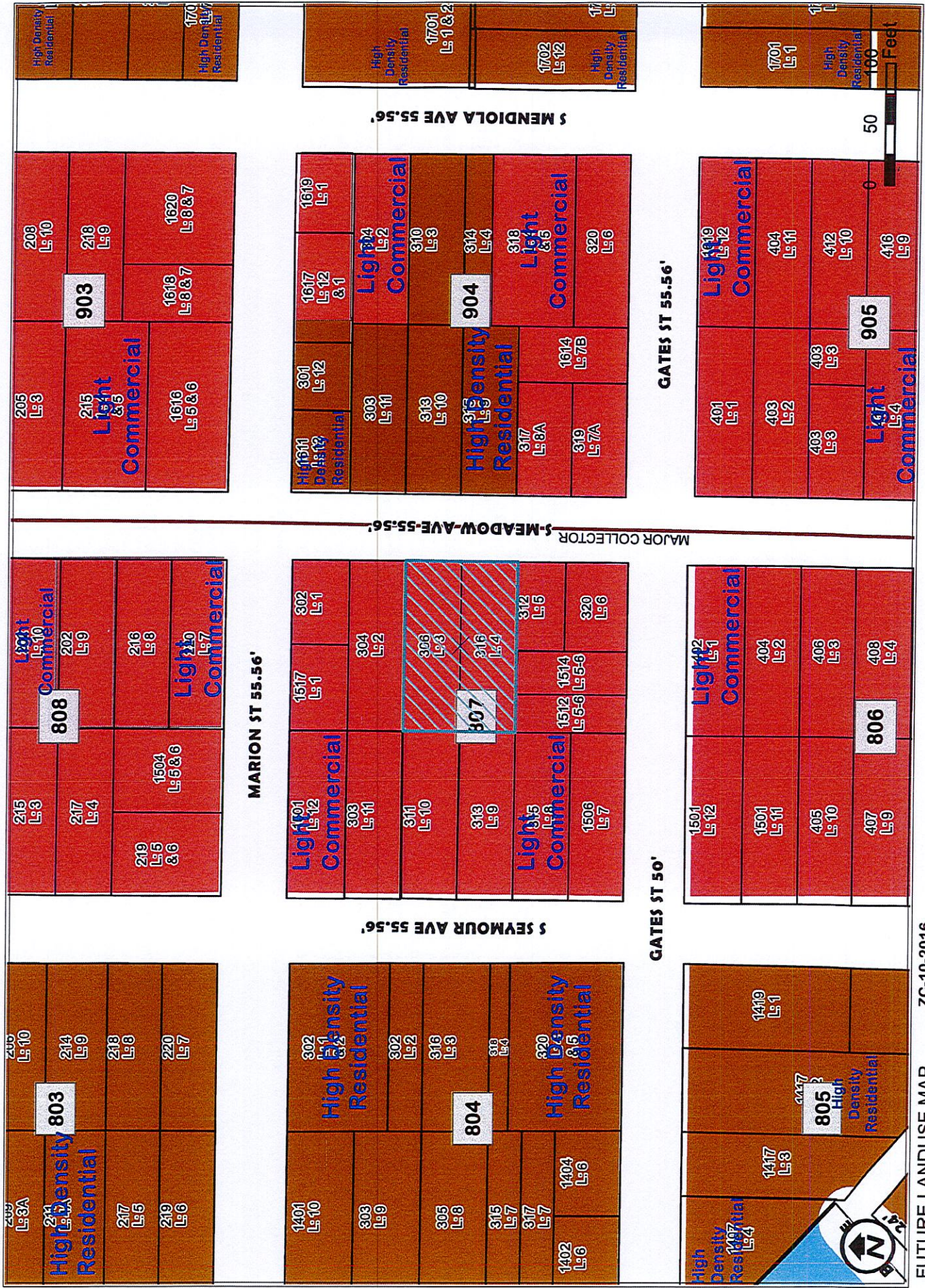
COUNCIL DISTRICT 3

306/ 316 S MEADOW AVE

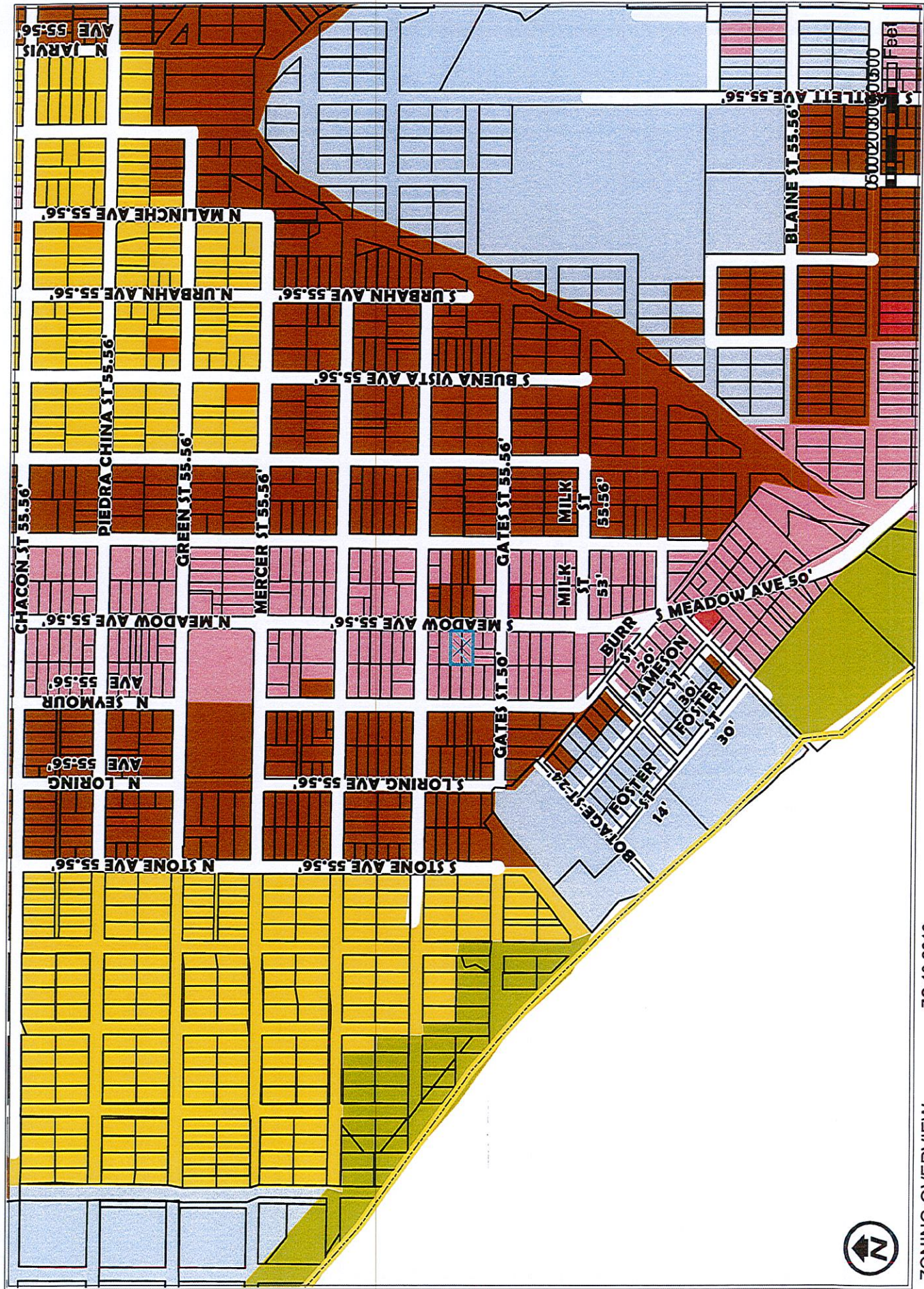
APPLICATION FOR

C.U.P. (CONDITIONAL USE PERMIT)

-> IMPOUND LOT



FUTURE LANDUSE MAP
 ZC-10-2016
 COUNCIL DISTRICT 3
 306/ 316 S MEADOW AVE
 APPLICATION FOR
 C.U.P. (CONDITIONAL USE PERMIT)
 -> IMPOUND LOT



APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> IMPOUND LOT

ZC-10-2016
COUNCIL DISTRICT 3
306/ 316 S MEADOW AVE
Date: 12/3/2015

ZONING OVERVIEW
1 inch = 500 feet
Date: 12/3/2015

Final Reading of Ordinances

City Council-Regular

Meeting Date: 02/01/2016

Initiated By: Horacio De Leon, Assistant City Manager

Initiated By: Jorge A. Vasquez, owner

Staff Source: Nathan R. Bratton, Planning Director

SUBJECT

2016-O-015 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for an impound lot on Lots 3 and 4, Block 807, Eastern Division, located at 306 and 316 South Meadow Avenue; providing for publication and effective date. District III

PREVIOUS COUNCIL ACTION

This item was introduced by the Honorable Alejandro "Alex" Perez, Jr. at the regular meeting of January 19, 2016.

BACKGROUND

Council District: III – The Honorable Alejandro "Alex" Perez

Proposed use: Impound Lot (Auto storage)

Site: Vehicle storage

Surrounding land uses: North of the site are single-family residences. East of the site are single-family residences, vacant lots and a commercial building. To the south are single family residences, a body shop, a beauty salon, multi-family residential uses and Iglesia Metodista. West of the site are single family dwellings, E & J Garage, manufactured homes and multi-family residences.

Comprehensive Plan: The Future Land Use Map recognizes this area as Light Commercial.

Transportation Plan: The Long Range Thoroughfare Plan identifies Meadow Avenue as a Major Collector.

Letters sent to surrounding property owners: 44 In Favor: 0 Opposed: 0

STAFF COMMENTS

The Laredo Land Development Code (Section 24.63: Permitted Uses) permits Auto Impound yards in zones B-4, M-1, M-2 and MXD. This property is currently zoned B-1.

Section 24.94.5(A)(3): Conditional Use Permit Application Submittal Criteria state that, "Applications for properties currently zoned B-1, B-1R, CBD, B-3 or B-4, may only seek conditional use status for those uses permitted by zones B-1R, CBD, B-3, B-4 or M-1 of higher intensity."

Staff does not support the proposed Conditional Use Permit for the following reasons:

1. The proposed use is not compatible with the adjacent established residential neighborhood.
2. The property fronts Meadow Avenue which is already a heavily congested road.
3. The proposed C.U.P. will encroach into the established neighborhood and introduce more intense and incompatible uses.

Staff does not support the Conditional Use Permit at this location but recommends the following provisions be attached if approved:

1. The C.U.P. shall be issued to Jorge A. Vasquez and is nontransferable.
2. The C.U.P. is restricted to an auto impound lot with operating hours from 8:00 a.m. through 5:00 p.m. from Monday through Friday.
3. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
4. Signage is limited to that allowed in a B-1 District.
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17. Owner shall comply with all Building, Fire and Life Safety Code Regulations as required.
18. No mechanic, auto body or paint work is permitted on site.

COMMITTEE RECOMMENDATION

The P & Z Commission, in a 7 to 0 vote, recommended **approval** of the Conditional Use Permit.

STAFF RECOMMENDATION

Staff **does not support** the proposed Conditional Use Permit.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

Ordinance

Zoning Map

Aerial Map

Future Land Use Map

Zoning Overview Map

Pictures

Exhibits and Survey

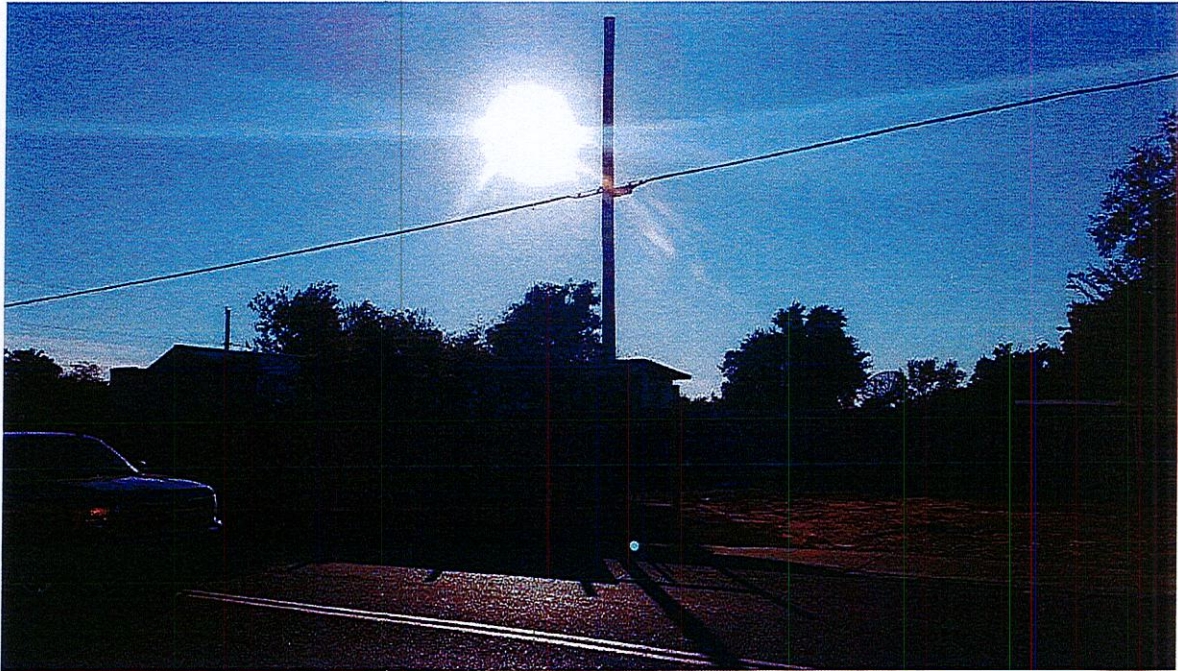
**306 and 316 South Meadow Avenue
B-1 (Limited Commercial Business) to Conditional Use Permit (Impound Lot)
ZC-10-2016**



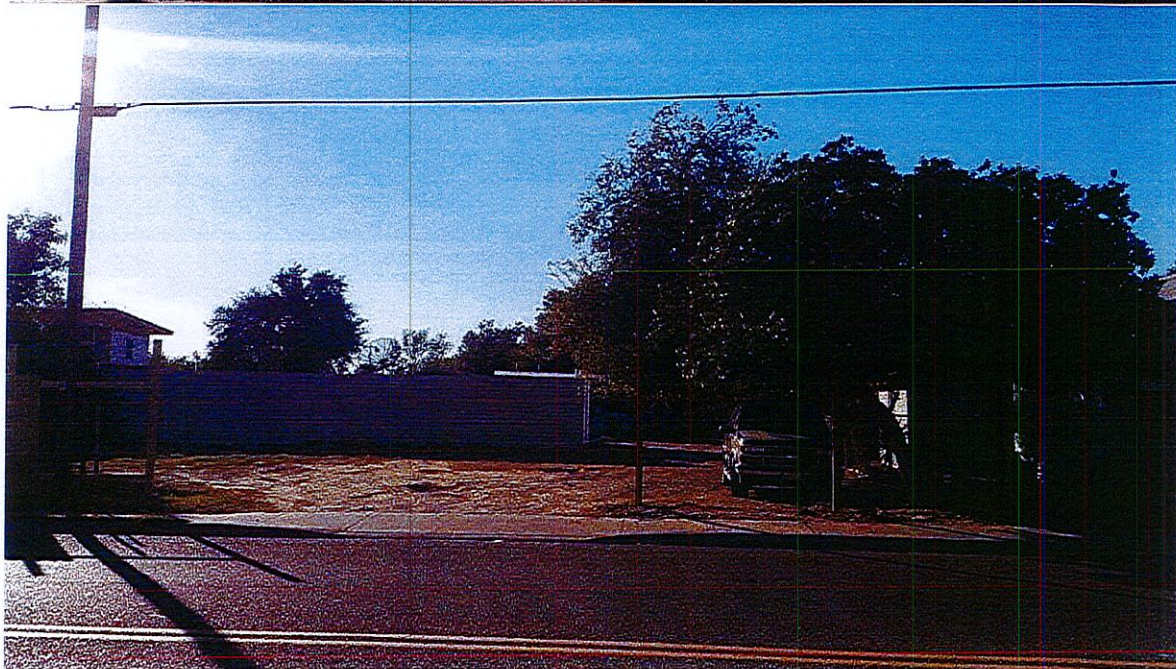
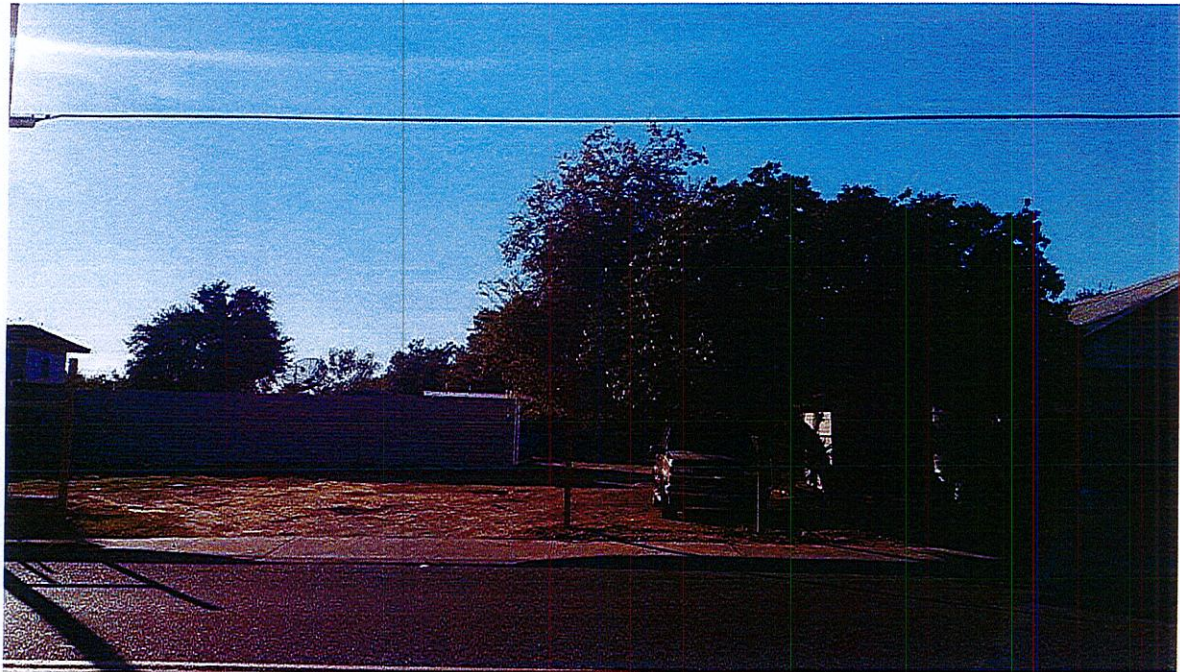
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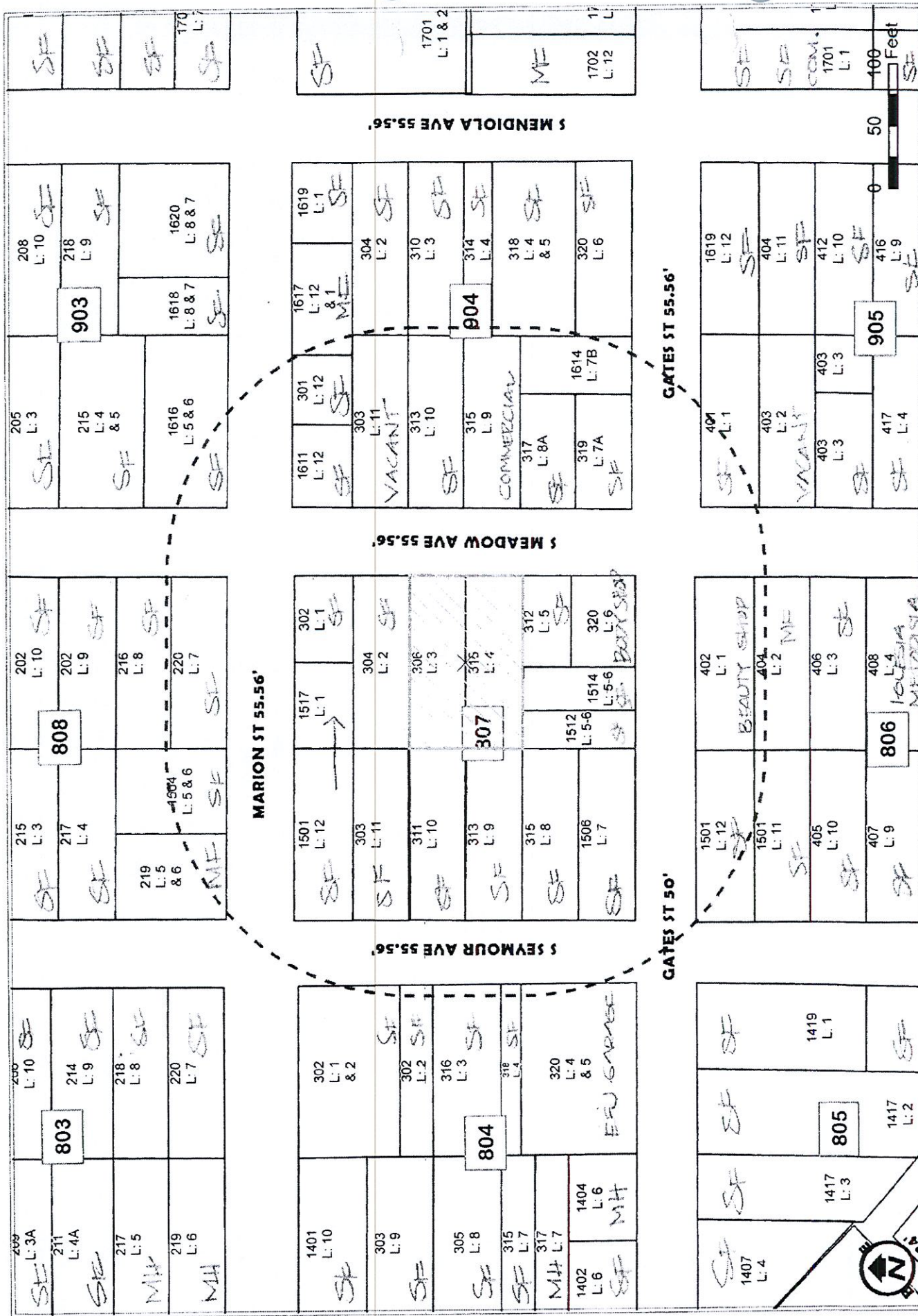


**306 and 316 South Meadow Avenue
B-1 (Limited Commercial Business) to Conditional Use Permit (Impound Lot)
ZC-10-2016**



I petitioner Jorge Vasquez am requesting a conditional use permit approval to allow an impound vehicle lot to operate. Currently the vacant lot is located at 306 and 316 South Meadow Laredo Texas 78043. They are two vacant lots adjacent to each other this property is zoned as a B-1, and a C.U.P will allow me to operate. I am seeking approval to allow the possible outdoor storage of approximately ten to fifteen vehicles with a small building to house an office for the business for one employee. Hours of operation would be conducted from Monday thru Friday from 8:00 am to 5:00pm. I am committed to comply with the entire required site planning requirements. These improvements to the property include items such as parking, fencing and lighting compliance. I am in good standing with my neighbors and they have no issues with me operating in this location.

Jorge Vasquez



200' NOTIFICATION
1 inch = 100 feet
Date: 12/3/2015

ZC-10-2016
COUNCIL DISTRICT 3
306/ 316 S MEADOW AVE

APPLICATION FOR
C.U.P. (CONDITIONAL USE PERMIT)
-> IMPOUND LOT