

16. **Public Hearing and Introductory Ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by the rezoning all of Block 575, Western Division, located at 2720 San Bernardo Avenue, from B-3 (Community Business District) and B-1 (Limited Business District) to B-4 (Highway Commercial District).

The Planning & Zoning Commission recommended **denial** of the proposed zone change and staff **does not support** the application.

**ZC-052-2021
District VIII**

City Council

16.

Meeting Date: 09/07/2021
Staff Source: Orlando Navarro, Planning Director
Staff Source: Vanessa Guerra, Planner IV
Initiated by: Antonio Gonzalez, Owner
Prior Action: This item was tabled at the City Council meeting of August 16, 2021.

SUBJECT:

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by the rezoning all of Block 575, Western Division, located at 2720 San Bernardo Avenue, from B-3 (Community Business District) and B-1 (Limited Business District) to B-4 (Highway Commercial District).

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**ZC-052-2021
District VIII**

BACKGROUND:

Council District: VIII - The Honorable Alyssa Cigarroa

Proposed use: Bus Terminal.

Site: Evelyn Motel and restaurant

Surrounding land uses: North of the property is a mix of commercial stores fronting the San Bernardo Street and residential uses along the San Agustin Ave. To the south is also a mix of residential uses fronting the San Agustin Ave and commercial to the lots fronting the San Bernardo Ave. To the west is primarily residential zoned R-3(Mixed Residential District), and to the east are businesses fronting I San Bernardo Ave and Santa Ursula Ave.

Comprehensive Plan: The Future Land Use Map recognizes this designated as Neighborhood Mixed-Use.

<https://www.cityoflaredo.com/LaredoPlanning/wp-content/uploads/2021/03/viva-laredo-city-of-laredo-comprehensive-plan.pdf#page=>

Transportation Plan: The Long Range Thoroughfare Plan identifies Jefferson Street and San Bernardo Ave as Collectors.

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

Letters sent to surrounding property owners: 43 In Favor: 0 Opposed: 0

STAFF COMMENTS:

Staff **does not support** the proposed zone change for the following reasons:

1. The proposed zone is not in conformance with the Comprehensive Plan's Neighborhood Mixed Use designation which does not permit B-4 type uses.
2. The proposed location abutts a large area of predominantly residential type uses to the west which may be negatively impacted by the intensely commercial uses allowed in a B-4 zoning district.
3. The traffic in the nearby street Jefferson and San Bernardo will be heavily impacted without some provisions to lessen the traffic issues that will arise with the implementation of the proposed use and which could be addressed through a Conditional Use Per

P&Z RECOMMENDATION:

The Planning & Zoning Commission recommended **denial** of the zone change.

STAFF RECOMMENDATION:

Staff **does not support** the application but recommends to the applicant apply for a Conditional Use Permit (CUP) instead due to the high traffic and narrow near intersections (San Bernardo Ave and Jefferson St.) area and the surrounding residential uses.

IMPACT ANALYSIS

The purpose of the B-4 District (Highway Commercial District) is to provide for those businesses and services serving a regional area which are to be located primarily along principal (major) arterial streets or the freeway, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily along principal arterial streets or the freeway and to impose site development regulations to ensure adequate access of all uses within this classification. See also Land Development Code (LDC) IV-36 through IV-37. A Passenger terminal (proposed use) is allowed in a B-4. Also to consider that in Section 24.94.5(A)(3): Conditional Use Permit Application Submittal Criteria state that, "Applications for properties currently zoned B-1, B-1R, CBD, AE, 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."
This property is currently zoned B-1 and B-3.

Is this change contrary to the established land use pattern?

No. The uses along the San Bernardo are all commercial.

Would this change create an isolated zoning district unrelated to surrounding districts?

No. There is B-4 zoning in the surrounding area. The proposed zoning will introduce more intense land use in the area.

Will change adversely influence living conditions in the neighborhood?

Yes, this area is not designed to handle the land uses permitted in the B-4 zoning district. Existing bus lines in Houston St. currently contribute to the congestion problems downtown. The proposed use will increase traffic and busses will have difficulty making turn on to San Bernardo Ave and Jefferson St. this will incur in the invasion of both lanes when turning as the San Bernardo St. is 64ft wide and Jefferson St. is 55.56ft in width. As a the "minimum turning path templates for single unit trucks or buses, semi-trailer combinations with wheelbases of 40, 50 and 62 ft "according to Section 7: Minimum Design for Truck and Bus turns from the Road Design Manual TXDOT. For more information visit:

http://onlinemanuals.txdot.gov/txdotmanuals/rdw/minimum_designs_truck_bus_turns.htm

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

No. The existing B-3 (Community Business District) allows for sufficient uses that are more compatible with the surrounding areas, perhaps a Conditional Use Permit (CUP) may provide specific restrictions instead of an outright zone change.

Attachments

MAPS

ORDINANCE
