

CITY OF LAREDO
LAREDO, TEXAS
SPECIAL CITY COUNCIL MEETING
1110 HOUSTON STREET
5:30 P.M.

M92-S-18

M I N U T E S

JUNE 22, 1992

I. CALL TO ORDER

With a quorum present Councilmember Jacinto P. Juarez called the meeting to order in the absence of both the Mayor and Mayor Pro-Tem.

II. PLEDGE OF ALLEGIANCE

Councilman Jacinto P. Juarez led in the Pledge of Allegiance.

III. ROLL CALL

IN ATTENDANCE:

SAUL N. RAMIREZ, JR.	MAYOR		5:40 P.M.
JOSE R. PEREZ,	COUNCILMEMBER,	DISTRICT I	
JACINTO P. JUAREZ,	"	, DISTRICT II	
ARLENE RASH ALDRIDGE,	"	, DISTRICT III	5:45 P.M.
CECILIA MAY MORENO,	"	, DISTRICT IV	
BLAS CASTANEDA,	"	, DISTRICT V	5:45 P.M.
JOSE GERARDO (JERRY) PEREZ,	"	, DISTRICT VII	
FELIPE CARDENAS,	"	, DISTRICT VIII	
PETER H. VARGAS,	CITY MANAGER		
JERRY BRUCE CAIN,	ASSISTANT CITY MANAGER		

ABSENCES:

City Secretary, Gustavo Guevara, Jr.

IV. INTRODUCTORY ORDINANCES

2. Amending Section 24-78, Subsection (d), of the Zoning Ordinance to change the twelve (12) feet width requirement to ten (10) feet and to delete the sixty (60) feet length requirement, exclusive clause on driveways, aisles, and other circulation areas, to incorporate standards based on length of truck and loading space angle; providing for publication and effective date.

Ordinance Introduction: City Council

3. Amending page thirteen (13), Parking Layout Section, of Ordinance 90-O-107, Parking Layout and Design Standards for Parking Lots, to change typical truck parking stalls from a fourteen (14) feet width, sixty (60) feet length, and sixty-

five (65) feet aisle, to standards based loading dock angle and wheel base; providing for publication and effective date.

Ordinance Introduction: City Council

V. CITY MANAGER'S REPORT

Mayor came in at this time. (5:40 P.M.)

Cw. Aldridge and Cm. Castaneda came in at (5:45 P.M.)

4. Introduction of Marina M. Sukup, newly appointed Planning Director for the City of Laredo.

Peter H. Vargas, City Manager, introduced Ms. Marina M. Sukup as the newly appointed Planning Director for the City of Laredo.

Ms. Sukup stated she is looking forward to working with the community, City Council and the Planning Department.

Ms. Sukup will start working with the City of Laredo effective, Monday, June 29, 1992.

Mayor asked to waive the rules of order and take an item for discussion at this time.

Moved : Cm. Juarez

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

At this time Mayor Saul N. Ramirez, Jr. recognized and commended an accomplished song writer and excellent entertainer, Mr. Humberto "Beto" Ramon that won the Tejano Award. Mayor Saul N. Ramirez, Jr. commended Mr. Ramon for the quality of his work and his performance as a musician of Tejano Music.

Motion was made to declare June 22nd as Humberto "Beto" Ramon Day and urge all our citizens to recognize all his accomplishments.

Moved : Cm. Jerry Perez

Second: Cm. Castaneda

For: 7

Against: 0

Abstain: 0

VI. PUBLIC HEARINGS

Motion to open the Public Hearing(s) and waive the rules of order and take item 5, 6 and 12 at this time.

Moved : Cm. Juarez

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

5. Public hearing regarding a request of A & M Development Corporation to rezone site from AG (Agricultural District) to R-3 (Mixed Residential District) on a 5.6286 acre tract, located east of the intersection of Elm and Ejido; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 5.6286 acre tract from AG (Agricultural District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Juarez

Second: Cm. Perez

For: 7

Against: 0

Abstain: 0

Keith Selman, Planner I, made the presentation stating that staff and P&Z recommended denial due to the primary reason that it falls within the highest level of noise impacts created by the airport. He explained that the developer plans to do a mobile home park development.

Mike Brock spoke in favor and stated that the noise is a factor now. He stated that they had spoken to Mr. Erasmo Villarreal of the Planning Dept. and legal staff and had agreed to get an air easement which would satisfy everybody.

Nathen Bratton, Assistant City Attorney, explained what they are looking at is the air space directly over this particular development for overflight of aircraft and any noise that may occur. He clarified what this does, is that it adds to the list of restrictions on the title so when you purchase the property you take it subject to that easement and subject to any noise that may occur.

Mr. Carlos Villarreal, Assistant City Manager, stated that the agreement was fine as long as they acknowledge this air easement and include it in the deed.

Cm. Juarez stated that if we come up with the required air easements and if people are aware of what they are getting into, that it would be up to the people themselves to decide whether or not they chose to live there.

Cm. Juarez stated that he does not want to leave it up to them to include it in their plats or to advise them. He further stated that he wanted to make it contingent on acquiring the air easement that our City Attorney is requesting.

Motion to close the public hearing, to override P&Z, to approve the zone change and to introduce the ordinance contingent on acquiring an air easement that the City Attorney is requesting.

Moved : Cm. Juarez
 Second: Cm. Perez
 For: 5

Against: 1
 Cw. Moreno

Abstain: 1
 Cw. Aldridge

MOTION DIES.

Motion to close and table item for meeting of July 27th.

Moved : Cm. Juarez
 Second: Cm. Perez
 For: 7

Against: 0

Abstain: 0

6. Public hearing regarding a request of the City of Laredo to rezone a 1,501 acre tract from R-1 (Single Family Residential District) to AG (Agricultural District), located north of the Laredo International Airport; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 1,501 acre tract, from R-1 (Single Family Residential District) to AG (Agricultural District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Juarez
 Second: Cm. Perez
 For: 7

Against: 0

Abstain: 0

Erasmio Villarreal, Acting Planning Director, asked the Council that this item be tabled for July 27th.

J. C. Trevino III, representing one of the landowners in the 1,500 acre tract, asked that he did not want this item tabled, that he was asking that Council approve what the P&Z Commission approved at their meeting which was to deny the zone change to agriculture and to leave it the way it is. He added that they will try to develop this area within the comprehensive plan that the city has established.

Steve Whitworth spoke against the request for zone change.

Carlos Mejia, with Mejia Engineering Company representing the Alexander Family owners of 992 acres of which 650 acres are included in this 1500 acres appeared before council

stating that the owners vigorously oppose the zone change to AG because this would drastically affect their land values.

Ms. Dan Ochoa spoke against the zone change.

Mr. Raul Paez spoke against the zone change to R-3.

Ms. Hortence Offerle stated that the notices that were sent out were very inadequate. She did not know her property was involved until she got here to the meeting. She further stated this is not correct, when you send out a notice stating that somebody with a property adjacent to yours is requesting a rezoning position. She added it is not the correct thing to do to send the property owner a notice and then you come here quite by accident because other property owners call her and tell her that the property involved is her property. She wanted to go on record stating, "That is not right. If that's the kind of notification that one gives to the property owners, it is not right."

Erasmus Villarreal, Planning and Zoning Director, stated that any time there is a request for zone change we have to notify all the property owners on the tax roll that the city has. He added that those are the people that get notified on the specific area that is coming for a zone change and continued saying that they use a 200 feet radius around the property that is being requested to be rezoned and notify those property owners that are in the tax rolls.

Ms. Offerle stated, "I am not on the 200 feet radius, I am within the property that you are talking about. I am within the 1,500 acres and I was notified that someone wanted a change, an adjacent property owner."

Mayor clarified that the confusion was that our staff was recommending the change for that area.

Mayor Saul N. Ramirez, Jr. stated that whenever an area such as this is changed, that it be in that form and not just stating it's going to get changed. He added that we will look into this matter so that we do not confuse people when they get a change in their own property wondering why it's happening when they are not even requesting the change.

Ms. Offerle stated that she protests the rezoning of the 1,500 acres.

Peter H. Vargas stated that the comprehensive plans call for this rezoning.

Motion to close the public hearing and concur with P&Z to deny the zone change and leave it as R-1 and start from scratch.

Moved : Cm. Juarez
Second: Cm. Cardenas

Mayor stated if an item gets denied it has to wait six months according to the ordinance for any zone change.

SECOND WITHDREW HIS MOTION TO DENY.

Motion to close the hearing, withdraw the item and leave it as R-1.

Moved : Cm. Juarez
Second: Cm. Cardenas
For: 7

Against: 0 Abstain: 0

Motion to waive the rules and move item 12 at this time.

Moved : Cm. Juarez
Second: Cm. Perez
For: 7

Against: 0 Abstain: 0

7. Public hearing regarding a request of Maria Fierros to rezone site from R-3 (Mixed Residential District) to M-1 (Light Manufacturing District) on Block 1127, Lots 2 and 3, Western Division, located at 4507 Vidaurri; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 1127, Lots 2 and 3, Western Division, from R-3 (Mixed Residential District) to M-1 (Light Manufacturing District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Perez
Second: Cw. Moreno
For: 6

Against: 0 Abstain: 0

Cw. Aldridge and Cm. Perez stepped out momentarily at this time. (6:40 P.M.)

At this time there was a motion to recess the meeting for five minutes due to the fact that Cw. Aldridge and Cm. Perez stepped out momentarily and there was no quorum.

Moved : Cm. Castaneda
Second: Cm. Cardenas
For: 4

Against: 0 Abstain: 0

With a quorum present meeting reconvene at 6:45 P.M.

Keith Selman, Planner I, made the presentation.

Ron Whithawk spoke in favor of the zone change and submitted a petition in favor of the zone change. (No petition was submitted to the City Secretary's Office)

Gloria Hansen representing Ms. Fierros spoke in favor of zone change to M-1.

Motion to close the public hearing and accept recommendation from P&Z and staff to deny zone change.

Moved : Cm. Jerry Perez

Second: Cm. Castaneda

For: 6

Against: 0

Abstain: 0

8. Public hearing regarding a request of Juan J. Martinez to rezone site from R-3 (Mixed Residential District) to B-1 (Limited Business District) on Block 283, Lot 8, Eastern Division, located at the intersection of Musser and Springfield; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 283, Lot 8, Eastern Division, from R-3 (Mixed Residential District) to B-1 (Limited Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Keith Selman, Planner I, made the presentation stating that Mr. Martinez intends to conduct his business on the first floor and live on the second.

Mayor Saul N. Ramirez, Jr. asked if he would qualify to operate as R-0 to maintain his office downstairs and his residence upstairs?

Erasmio Villarreal, Acting Planning Director, stated he could operate as an R-0 as long as he operates a professional type of business office.

Ron Whithawk representing Mr. Martinez spoke in favor of zone change and asked that council give them the opportunity to amend the application from a B-1 to R-0 so that Mr. Martinez can accomplish his objective.

Mr. Juan J. Martinez spoke in favor of the zone change.

Cw. Aldridge asked that Mr. Martinez build a fence.

Motion to close the public hearing and override P&Z Commission that instead of a B-1 it be an R-0 (Residential Office District).

Moved : Cw. Aldridge

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cw. Aldridge

9. Public hearing regarding a request of Daniel Hastings to rezone site from B-2 (Central Business District) to B-3 (Community Business District) on Block 195, Lots 6 and 8, Western Division, located at 1100 Block of Flores Avenue; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Block 195, Lots 6 and 8, Western Division, from B-2 (Central Business District) to B-3 (Community Business District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Keith Selman, Planner I, made the presentation.

There was no public input.

A letter was mailed to Erasmo Villarreal, Acting Planning Director, from the applicant requesting that this item be tabled for July 27th.

Motion to close the public hearing and table the item.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

10. Public hearing regarding a request of Porras Engineering Company to rezone site from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District) on a 19.6239 acre tract, and R-3 (Mixed Residential District) on a 102.7988 acre tract, located south of Moon Lane; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 19.6239 acre tract from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District), and rezoning a 102.7988 acre tract from R-1 (Single Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Keith Selman made the presentation.

There was no public input.

Motion to close the public and go with recommendation from P&Z and introduce the ordinance.

Moved : Cm. Perez

Second: Cm. Cardenas

For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Perez

11. Public hearing regarding a request of Jay and Del Trautman to rezone site from RSM (Residential Suburban Multi-Family Residential District) to R-1 (Single Family Residential District) on a 5.6859 acre tract, located east of McPherson and south of Northridge; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 5.6859 acre tract, from RSM (Residential Suburban Multi-Family District) to R-1 (Single Family Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Castaneda

Second: Cm. Perez

For: 6

Against: 0

Abstain: 0

Keith Selman, Planner I, made the presentation.

Ron Whithawk, representing the Trautmans spoke in favor of the zone change.

Motion to close the public hearing and concur with P&Z and staff to approve the zone change.

Moved : Cw. Moreno
Second: Cm. Castaneda
For: 6

Against: 0 Abstain: 0

Ordinance Introduction: City Council

(Cm. Juarez and Cm. Perales were not present.)

12. Public hearing regarding a request of Del A. Trautman to rezone site from R-1 (Single Family Residential District) and R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District) on a 40.82719 acre tract; and that an ordinance be introduced.

INTRODUCTION OF AN ORDINANCE

Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning a 40.82719 acre tract, from R-1 (Single Family Residential District) and R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

Motion to open the public hearing.

Moved : Cm. Juarez
Second: Castaneda
For: 7

Against: 0 Abstain: 0

Keith Selman, Planner I, made the presentation.

Steve Whitworth, also an applicant for this zone change, spoke in favor of the zone change, stating that there is a need for affordable housing and manufactured homes. He further stated that the plan is to wall it with a concrete wall and to landscape it with trees which would have noise reducing effects. He asked Council that they ratify the action of the Planning Commission.

Carlos Mejia, with Mejia Engineering Company, made the presentation of his potential land use plan and spoke in favor of zone change to R-3.

Mr. Trautman stated it's a mistake to launch air cargo and that he is opposed to it. He added the airport should be utilized as passenger airport and maximized. Mr. Trautman stated air cargo needs to go in a different direction and different location.

Motion to close the public hearing and table for next meeting of July 27th.

Cm. Castaneda stated that the problem he would like to avoid is the problem that we have in the same subdivision (on Sunridge) where we have a right of way; we have homes on either side and the city has to go in and clean that because we inherited that problem.

Cm. Castaneda requested that we have a definite plan for this area and that we make sure all the land is going to be utilized and if it's going to be utilized to make sure that we don't have an easement where we are going to have to spend money into it.

Motion to concur with Planning and Zoning Commission's recommendation to approve and close the public hearing.

Moved : Cm. Castaneda
Second: Cm. Perez
For: 6

Against: 0

Abstain: 0

Ordinance Introduction: Cm. Castaneda

VII. ADJOURNMENT

Motion to adjourn.


Moved : Cm. Perez
Second: Cw. Castaneda
For: 6

Against: 0

Abstain: 0

Adjournment time was at 7:25 P.M.

I HEREBY CERTIFY THAT ABOVE MINUTES CONTAINED IN PAGES 01 TO 12 ARE A TRUE, COMPLETE AND CORRECT PROCEEDINGS OF THE SPECIAL CITY COUNCIL MEETING HELD ON THE 22ND DAY OF JUNE, 1992. A CERTIFIED COPY IS ON FILE AT THE CITY SECRETARY'S OFFICE.


GUSTAVO GUEVARA, JR.
CITY SECRETARY

MINUTES PREPARED BY: Delia Rodriguez, Deputy City Secretary II

APPROVED BY CITY COUNCIL ON: JUL - 6 1992

CORRECTIONS: