

HAL LAWLER
Chairman
DONNA O'CONNER
Commissioner At Large A
JOE MOCK
Commissioner At Large B
NOLAN ALLEN
Commissioner District 1
RICHARD WARREN
Commissioner District 2
Vice Chairman



JAMES WALTER
Commissioner District 3
MARK FOLLIS
Commissioner District 4
LOU ANN MARTIN
Commissioner District 5
CHRISTINA TSCHAPPAT
Commissioner District 6

**LA PORTE PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, FEBRUARY 17, 2022
REGULAR MEETING 6 P.M.**

**CITY COUNCIL CHAMBER
LA PORTE CITY HALL, 604 WEST FAIRMONT PARKWAY, LA PORTE, TEXAS, 77571**

Remote participation is available. Attend via tablet, mobile phone, or computer using the following link: <https://us02web.zoom.us/j/83024158995?pwd=amxjR3ZZN2xvUlpKSER3Y0JMb2RRdz09>
Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 830 2415 8995. The passcode is 131364.

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS**
- 3. CONSIDER APPROVAL OF THE MEETING MINUTES:** Approve the minutes of the January 20, 2022 regular meeting of the Planning and Zoning Commission.
- 4. RESIDENTIAL REPLAT #21-97000005:** The Commission will hold a public hearing for Residential Replat #21-97000005, pursuant to an application from Stephen Blaskey of High Tide Surveying, on behalf of Staci Trahan and Sidney Espinoza, Jr., owners, for the proposed Partial Replat of Battleground Estates Section 1, a 1.215-acre replat located at the 11007 Houston Dr. and legally described as Lots 21-26, Block 2, Battleground Estates Section 1, & Reserve B, Block 12, Battleground Estates Section 2, Harris County, Texas.
 - a. Staff Presentation
 - b. Public Comments (Limited to 5 minutes per person)
 - c. Adjourn Hearing
- 5. COMMISSION DISCUSSION AND POSSIBLE ACTION:** Residential Replat #21-97000005.
- 6. ZONE CHANGE REQUEST #22-92000005:** The Commission will hold a public hearing for Zone Change Request #22- 92000005, pursuant to an application from Travis and Britney Barnett, applicant and owner, for approval of a zone change from Low Density Residential (R-1) to Residential Large Lot (LLD), on a 2.448-acre tract of land located at 10807 Houston Drive; legally described as Reserve A & A1, Block 12, Battleground Estates Section 2, Harris County, Texas.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (Limited to 5 minutes per person)
 - d. Adjourn Hearing
- 7. COMMISSION DISCUSSION AND POSSIBLE ACTION:** Zone Change Request #22-92000005

- 8. SCUP REQUEST #22-91000002:** The Commission will hold a public hearing for Special Conditional Use Permit Request #22- 91000002, pursuant to an application from Jamil Jaffer, on behalf of Rick Kight of ODA Fairmont, LLC, owner, for approval of a SCUP to allow for a merchant wholesaler use in the Business Industrial (BI) zoning district, on a 8.4- acre tract of land located at the 2200 block of Fairmont Parkway; legally described as 8.4 acres out of Tracts 2A, 3, 4, 4A, & Tract 23D Bayport, Section 1, Abstract 625, R Pearsall Survey, Harris County, Texas.
- a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (Limited to 5 minutes per person)
 - d. Adjourn Hearing
- 9. COMMISSION DISSCUSION AND POSSIBLE ACTION:** SCUP Request #22-92000002.
- 10. ZONE CHANGE REQUEST #22-92000004:** The Commission will hold a public hearing on Zone Change Request #22- 92000004, pursuant to an application from the City of La Porte, applicant, for approval of a zone change from Medium Density Residential (R-2) and Low Density Residential (R-1) to Planned Unit Development (PUD), for a 14.2-acre tract of land located at the 3900 Block of Underwood Road; legally described as Tracts 813 & N 300 feet of Lots 698 & 699; Tracts 698A, 699A & 814; Tracts 698B, 699B & 815 La Porte Outlots, Harris County, Texas.
- a. Staff Presentation
 - b. Public Comments (Limited to 5 minutes per person)
 - c. Adjourn Hearing
- 11. COMMISSION DISSCUSION AND POSSIBLE ACTION:** Zone Change Request #22-92000004
- 12. ZONE CHANGE REQUEST #22-92000006:** The Commission will hold a public hearing on Zone Change Request #22- 92000006, pursuant to an application from the City of La Porte, applicant, for approval of a zone change from High Density Residential (R-3) to Low Density Residential (R-1), for a 16.8-acre tract of land located between San Jacinto Ave, Park Dive, and East H Street; legally described as Lots 1-13, Block 291; Lots 1-17, Block 292; Lots 1-28, Block 294; Lots 1-38, Block 305; and Lots 2-31 & Tract 20A, Block 306, Town of La Porte, Harris County, Texas.
- a. Staff Presentation
 - b. Public Comments (Limited to 5 minutes per person)
 - c. Adjourn Hearing
- 13. COMMISSION DISSCUSION AND POSSIBLE ACTION:** Zone Change Request #22-92000006
- 14. CHAPTER 106 (ZONING) AMENDMENTS:** The Commission will hold a Public Hearing to receive input on an ordinance amending Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte.
- d. Staff Presentation
 - e. Public Comments (Limited to 5 minutes per person)
 - f. Adjourn Hearing
- 15. COMMISSION DISSCUSION AND POSSIBLE ACTION:** Chapter 106 Amendments
- 16. DISCUSSION ITEM:**
- a. Possible zone change for portions of S. 3rd and S. 2nd Streets.
 - b. Chapter 106 Subcommittee

17. ADMINISTRATIVE REPORTS:

- a. Council Action Update
- b. Next Regular Meeting – March 17, 2022

18. COMMISSION COMMENTS: Comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.

19. ADJOURN

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Planning and Development office (281-470-5057) three (3) business days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

CERTIFICATION

I do hereby certify that a copy of the **February 17, 2022** Planning and Zoning Commission agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

_____ Title: _____

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____



Approval of Meeting Minutes

- a. January 20, 2022

HAL LAWLER
Chairman
DONNA O'CONNER
Commissioner At Large A
JOE MOCK
Commissioner At Large B
NOLAN ALLEN
Commissioner District 1
RICHARD WARREN
Commissioner District 2
Vice Chairman



JAMES WALTER
Commissioner District 3
MARK FOLLIS
Commissioner District 4
LOU ANN MARTIN
Commissioner District 5
CHRISTINA TSCHAPPAT
Commissioner District

MINUTES OF THE REGULAR MEETING OF THE LA PORTE PLANNING AND ZONING COMMISSION JANUARY 20, 2022

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, January 20, 2021, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Commissioners present: Vice Chairman Richard Warren; Commissioners Christina Tschappat; Donna O'Conner; Nolan Allen; Joe Mock; Mark Follis and James Walter.

Commissioners absent: Chairman Hal Lawler and Commissioner Lou Ann Martin.

City Staff present: Ian Clowes, City Planner; Teresa Evans, Planning and Development Director; Chase Stewart, Planning Technician; Clark Askins, Assistant City Attorney.

1. **CALL TO ORDER** – Vice Chairman Warren called the meeting to order at 6:00 p.m.
2. **ROLL CALL OF MEMBERS:** – Commissioner Martin was absent. Chairman Lawler was not present for the beginning of the meeting but was later present via zoom. He was unable to participate as he was not visible to the entire Commission and audience.
3. **CONSIDER APPROVAL OF THE MEETING MINUTES:**
 - a. Approve the minutes of the meeting held on December 16, 2021.
Commissioner Allen moved to approve the meeting minutes; the motion was adopted, 7-0.
4. **MAJOR DEVELOPMENT PLAT #21-97000009:** Consider approval of a Major Development Plat for LP Two Twenty Five Business Park, a commercial development consisting of 56.924-acres, located south of SH 225, bisected by North P Street and legally described as 56.924-acres of land situated in the Enoch Brinson League, Abstract Number 5, Harris County, Texas.

City Planner Ian Clowes presented the Plat and explained that there were some minor conditions of approval regarding the removal of unnecessary language shown on the plat.

Commissioner Follis questioned the northern boundary of the plat which appears to have left out a rail easement that separates this tract from SH 225. Staff indicated that they will verify this information and suggested it be added as a condition of approval.

Commissioner Follis moved approve the plat with the conditions that the notes referring to land use and zoning be removed and that the northern boundary line be verified; the motion was adopted, 7-0.

5. **ZONE CHANGE REQUEST #22-91000001:** Open a public hearing on SCUP Request #22-91000001, a request by Melaney Gibbs and Ronald Tarantino, applicant and owner; for approval of a SCUP to allow for a secondary dwelling unit in the Low Density Residential (R-1) zoning district, on a 0.53- acre tract of land located at 9305 Carlow Lane; legally described as Lots 67 & 68, Block 4, Spenwick Place Section 1, Harris County, Texas.

City Planner Ian Clowes presented the SCUP request and provided background information.

Commissioner Follis asked if the applicant had considered subdividing the property. They stated that they had not.

Commissioner Allen asked what the secondary dwelling would be used for. The applicant stated that it will be primarily utilized as a home work space.

6. ADJOURN PUBLIC HEARING: 6:27 PM.

Commissioner O'Conner moved to recommend approval of SCUP Request #22-91000001 as presented; the motion was adopted, 7-0.

- 7. ZONE CHANGE REQUEST #22-92000001:** Open a public hearing on Zone Change Request #22- 92000001, a request by the City of La Porte, applicant, for approval of a zone change from Medium Density Residential (R-2) to Low Density Residential (R-1), for a 11.3-acre tract of land located along Ashton Lane and Oakhaven Road; legally described as Lots 45-53, Block 8, Brookglen Section 2; Tract 17D, Abstract 482 W Jones; Lot 1, Block 1, Rigo Estates; and Lots 1-5, Block 1, Risen Valley, Harris County, Texas.

City Planner Ian Clowes presented the Zone Change request and explained how this was a Commission initiated zone change.

The Commissioners had no additional questions regarding this request.

8. ADJOURN PUBLIC HEARING: 6:35 PM.

Commissioner O'Conner moved to recommend approval of Zone Change Request #22-92000001 as presented; the motion was adopted, 7-0.

- 9. ZONE CHANGE REQUEST #22-92000002:** Open a public hearing on Zone Change Request #22- 92000002, a request by the City of La Porte, applicant, for approval of a zone change from Medium Density Residential (R-2) to Low Density Residential (R-1), for a 9.98-acre tract of land located within the Pecan Crossing subdivision, Section 1; legally described as Lots 1-9, Block 1 and Lots 1-30, Block 3, Pecan Crossing Section 1, and a portion of Tract 714A, La Porte Outlots, Harris County, Texas.

City Planner Ian Clowes presented the Zone Change request and explained how this was a Commission initiated zone change.

The Commissioners had no additional questions regarding this request.

10. ADJOURN PUBLIC HEARING: 6:40 PM.

Commissioner Allen moved to recommend approval of Zone Change Request #22-92000002 as presented; the motion was adopted, 7-0.

- 11. ZONE CHANGE REQUEST #22-92000003:** Open a public hearing on Zone Change Request #22- 92000003, a request by the City of La Porte, applicant, for approval of a zone change from Medium Density Residential (R-2) to Low Density Residential (R-1), for a 19.5-acre tract of land located within the Pecan Crossing subdivision, Section 4 and the Summer Winds Subdivision Section 4; legally described as Lots 30-36, Block 6, Lots 72-78, Block 1, Lots 11-15, Block 7, Lots 6 & 12, Block 8, Reserve A, Block 1, Pecan Crossing Section 4; Lots 8-20, Block 1, Lots 1-4, Block 3, and Reserve A, Block 1, Summer Winds Section 3 Amending; and Lot 696B, La Porte Outlots, Harris County, Texas.

City Planner Ian Clowes presented the Zone Change request and explained how this was a Commission initiated zone change.

The Commissioners had no additional questions regarding this request.

12. ADJOURN PUBLIC HEARING: 6:51 PM.

Commissioner Tschappat moved to recommend approval of Zone Change Request #22-92000003 as presented; the motion was adopted, 7-0

13. DISCUSSION ITEM:

- a. Battery Storage use discussion.

Staff explained that this was a request by Commissioner Follis. The Commission discussed amending Chapter 106 to make it that any future battery storage facility use would require a SCUP. Staff agreed to look into this and present possible language.

- b. Update on High Frequency Truck Route proposed amendments.

Staff presented the proposed Chapter 106 amendments meant to address the High Frequency Truck Route concerns. The commission had no major concerns with the proposed language.

- c. Chapter 106 Updates Subcommittee

Staff discussed how it is time to perform the “annual” review of Chapter 106 and asked for volunteers to sit on the subcommittee.

14. ADMINISTRATIVE REPORT:

- a. Council Action Update.

City Planner Ian Clowes went over recent City Council action on items previously heard by the Commission.

- b. Next Regular Meeting – February 17, 2022

ADJOURN: Commissioner O’Conner made the motion to adjourn at 7:16 PM; the motion was adopted 7-0.

Richard Warren, Planning and Zoning Commission Vice Chairman

Chase Stewart, Planning Technician



Planning and Development Department Staff Report Residential Replat - #21-97000005

DISCUSSION

Applicant's Request:

This is a request by Stephen Blaskey of High Tide Surveying, applicant; on behalf of Staci Trahan and Sidney Espinoza, Jr., owners, for approval of a residential partial replat of Battleground Estates Section 1, located at 11007 Houston Dr. The attached Exhibit is the proposed replat. The 1.215-acre tract is being replatted in order to facilitate a future zone change request from Single Family Residential (R-1) to Large Lot Residential (LLD).

Background Information:

The site is currently zoned R-1. The applicant is requesting to replat the property in order to request a zone change to LLD. The LLD zoning district will allow for the construction of an accessory structure on the site that exceeds 1000 square feet. The following table summarizes the surrounding zoning and land uses:

| | Zoning | Land Use |
|--------------|-------------------------------|---------------------|
| North | Light Industrial (LI) | Undeveloped |
| South | Low Density Residential (R-1) | Single Family Homes |
| West | Low Density Residential (R-1) | Single Family Homes |
| East | Low Density Residential (R-1) | Single Family Homes |

RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the residential partial replat of Battleground Estates Section 1.

ATTACHMENTS

- Area Map
- Zoning Map
- Land Use Map
- Battleground Estates Section 1 Partial Replat

Area Map

Replat
#21-97000005

Battleground
Estates Sec. I

Legend



Subject Tract



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 157 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Houston-Galveston Area Council (H-GAC)

SAN JACINTO

Zoning Map

Replat
#21-97000005

Battleground
Estates Sec. I

Legend



Subject Tract

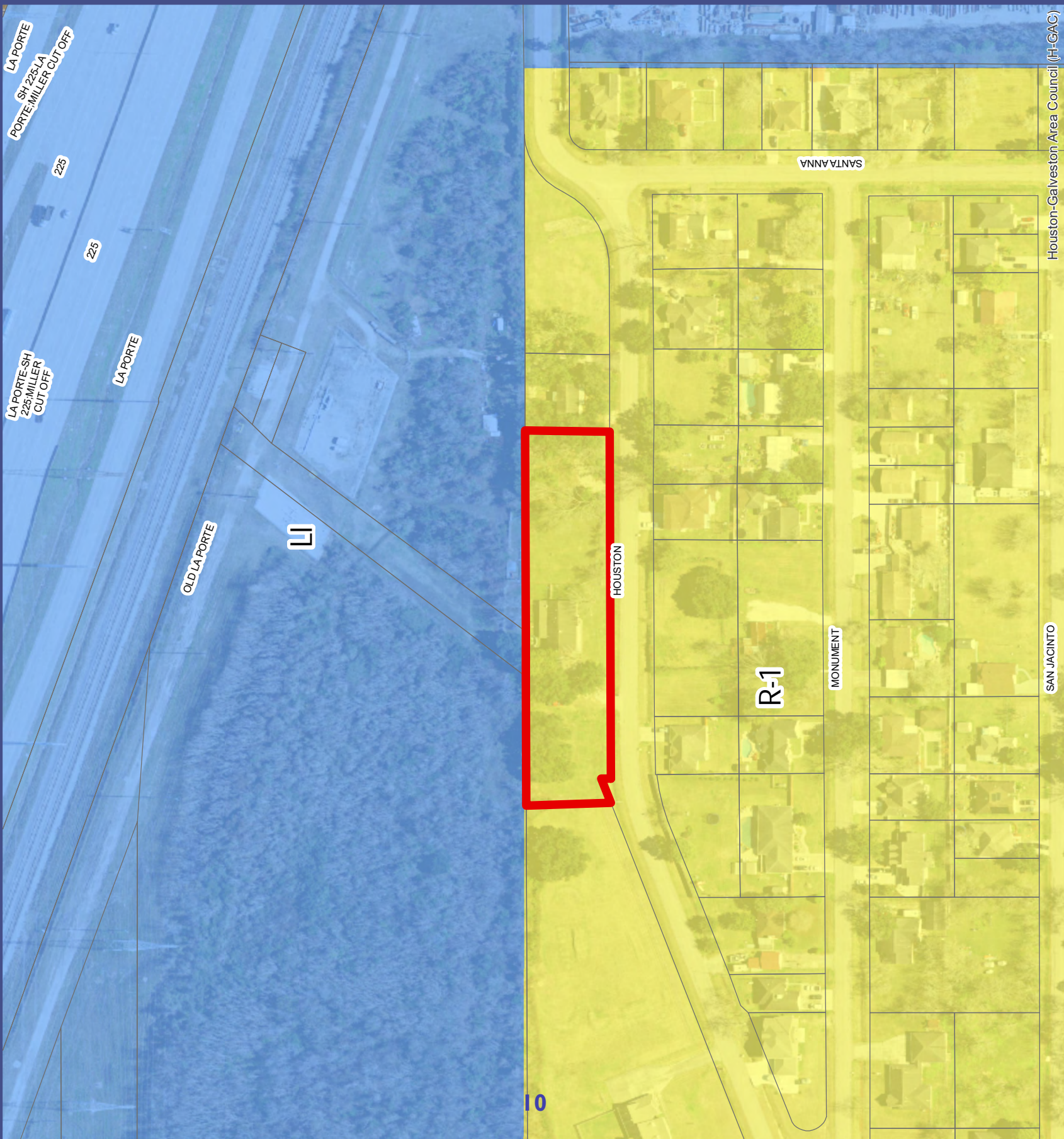


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 157 feet

FEBRUARY 2022
PLANNING DEPARTMENT



FLUP Map

Replat
#21-97000005

Battleground
Estates Sec. I

Legend

 Subject Tract

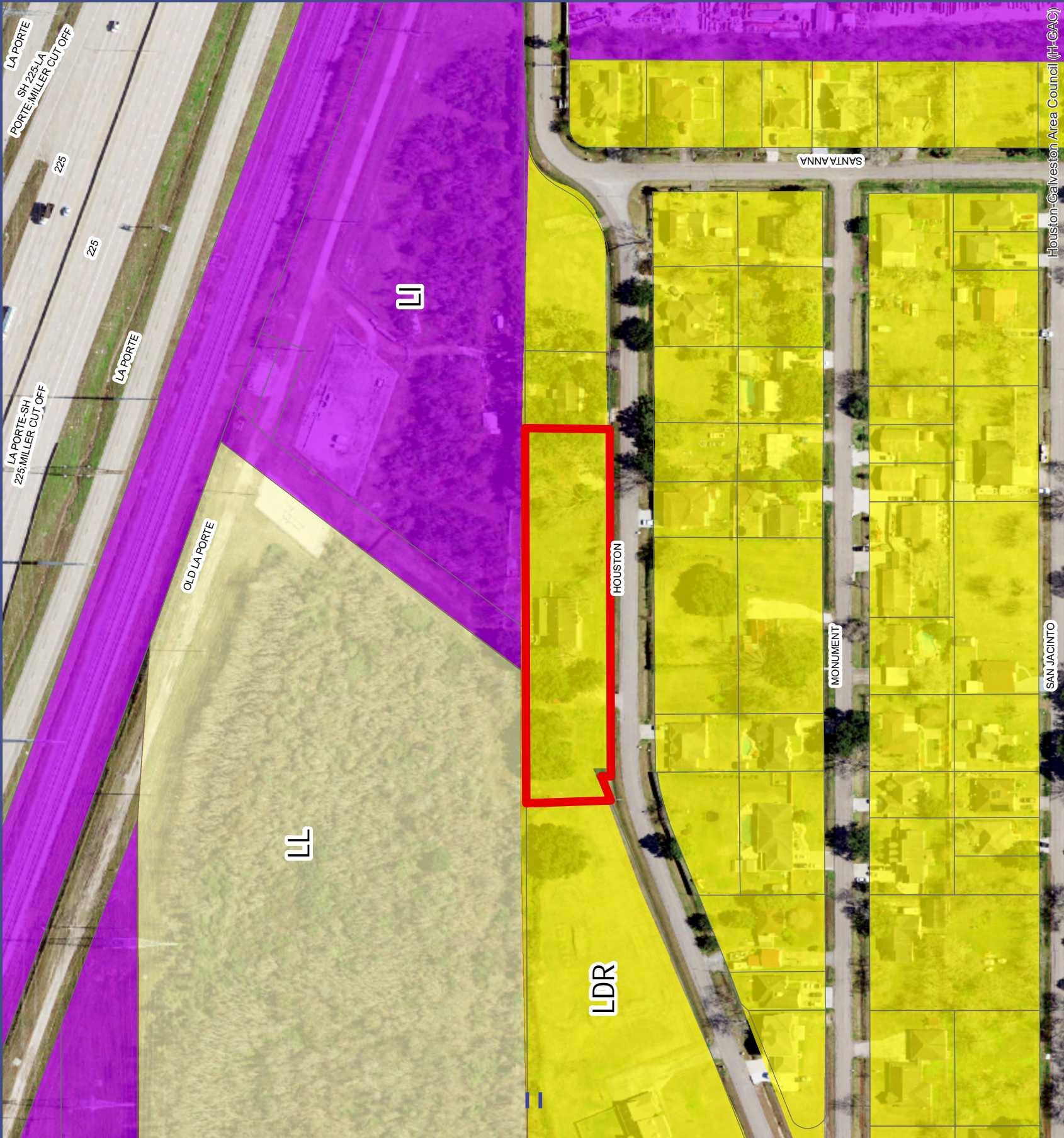


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

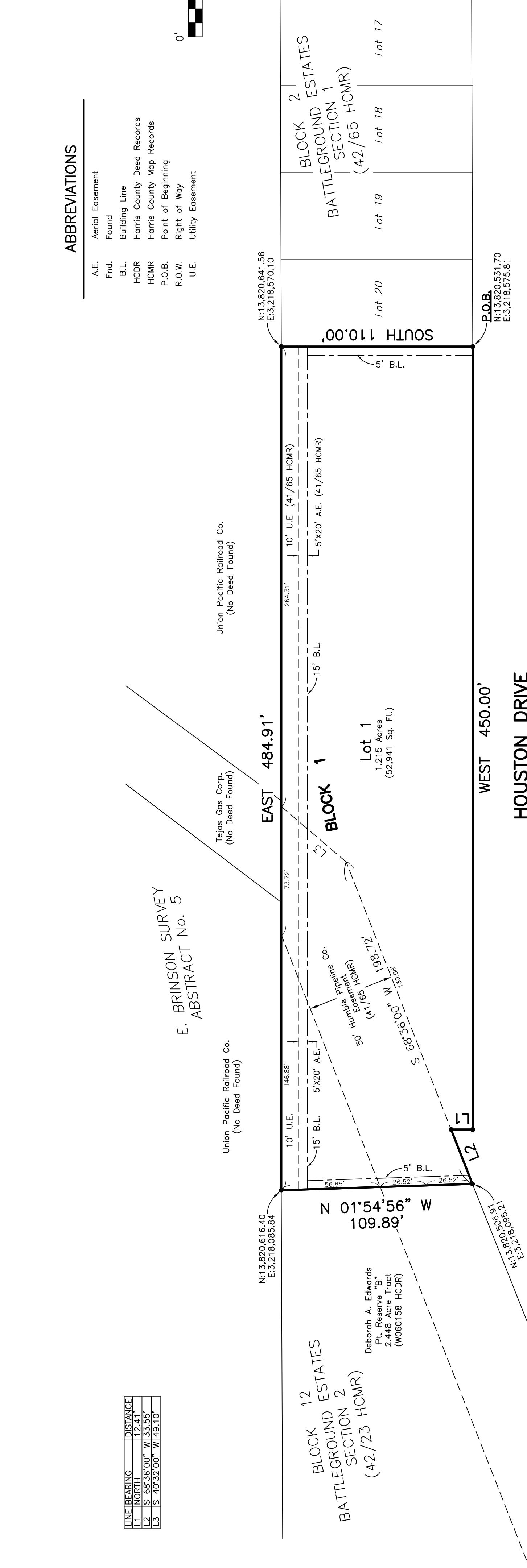


1 inch = 157 feet

FEBRUARY 2022
PLANNING DEPARTMENT



| LINE-BEARING | DISTANCE |
|-------------------------|----------|
| 1 S 68°39'00" W 133.45' | |
| 2 S 40°39'00" W 149.10' | |



BLOCK 12
 BATTLEGROUND 2
 SECTION 2
 (42/23 HOMR)

BLOCK 2
 BATTLEGROUND 2
 SECTION 2
 (42/23 HOMR)

BLOCK 2
 BATTLEGROUND 2
 SECTION 2
 (42/23 HOMR)

STATE OF TEXAS {}
 COUNTY OF HARRIS {}

We, Staci Trahan and Sidney Espinoza, Jr., hereinafter referred to as Owners whether one or more of the (number of acres) tract described in the above and foregoing map of **PARTIAL REPLAT OF BATTLEGROUND ESTATES, SECTION ONE**, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, easements, and other rights and interests, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all common use public utility easements shown hereon.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family homes thereon and shall be restricted for some under the terms and conditions of such restrictions filed separately.

Staci Trahan
 Owner

Sidney Espinoza, Jr.
 Owner

STATE OF TEXAS {}
 COUNTY OF GALVESTON {}

Before me, the undersigned authority, on this day personally appeared, Staci Trahan and Sidney Espinoza, Jr., known to me to be the person whose name is subscribed to the above and foregoing instrument, and in the capacity therein and herein set out.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public for the
 State of _____
 My Commission Expires: _____

| | |
|--------------|------------------|
| REVISED: | OCTOBER 26, 2021 |
| SURVEY DATE: | JUNE 3, 2021 |
| DRAWN BY: | GB001500 |
| DRAFTING: | JTC/JAH |
| JOB NO.: | 21-0540 |

ABBREVIATIONS

| | |
|--------|----------------------------|
| A.E. | Aerial Easement |
| F.d. | Flood |
| B.L. | Building Line |
| HCDR | Harris County Deed Records |
| HOMR | Harris County Map Records |
| P.O.B. | Point of Beginning |
| R.O.W. | Right of Way |
| U.E. | Utility Easement |

1 inch = 40 Feet

GRAPHIC SCALE



BLOCK 2
 BATTLEGROUND 1
 SECTION 1
 (42/65 HOMR)

Lot 18

Lot 17

Lot 19

Lot 20

Lot 21

Lot 22

Lot 23

Lot 24

Lot 25

Lot 26

Lot 27

Lot 28

Lot 29

Lot 30

Lot 31

Lot 32

Lot 33

Lot 34

Lot 35

Lot 36

Lot 37

Lot 38

Lot 39

Lot 40

Lot 41

Lot 42

Lot 43

Lot 44

Lot 45

Lot 46

Lot 47

Lot 48

Lot 49

Lot 50

Lot 51

Lot 52

Lot 53

Lot 54

Lot 55

Lot 56

Lot 57

Lot 58

Lot 59

Lot 60

Lot 61

Lot 62

Lot 63

Lot 64

Lot 65

Lot 66

Lot 67

Lot 68

Lot 69

Lot 70

Lot 71

Lot 72

Lot 73

Lot 74

Lot 75

Lot 76

Lot 77

Lot 78

Lot 79

Lot 80

Lot 81

Lot 82

Lot 83

Lot 84

Lot 85

Lot 86

Lot 87

Lot 88

Lot 89

Lot 90

Lot 91

Lot 92

Lot 93

Lot 94

Lot 95

Lot 96

Lot 97

Lot 98

Lot 99

Lot 100

Lot 101

Lot 102

Lot 103

Lot 104

Lot 105

Lot 106

Lot 107

Lot 108

Lot 109

Lot 110

Lot 111

Lot 112

Lot 113

Lot 114

Lot 115

Lot 116

Lot 117

Lot 118

Lot 119

Lot 120

Lot 121

Lot 122

Lot 123

Lot 124

Lot 125

Lot 126

Lot 127

Lot 128

Lot 129

Lot 130

Lot 131

Lot 132

Lot 133

Lot 134

Lot 135

Lot 136

Lot 137

Lot 138

Lot 139

Lot 140

Lot 141

Lot 142

Lot 143

Lot 144

Lot 145

Lot 146

Lot 147

Lot 148

Lot 149

Lot 150

Lot 151

Lot 152

Lot 153

Lot 154

Lot 155

Lot 156

Lot 157

Lot 158

Lot 159

Lot 160

Lot 161

Lot 162

Lot 163

Lot 164

Lot 165

Lot 166

Lot 167

Lot 168

Lot 169

Lot 170

Lot 171

Lot 172

Lot 173

Lot 174

Lot 175

Lot 176

Lot 177

Lot 178

Lot 179

Lot 180

Lot 181

Lot 182

Lot 183

Lot 184

Lot 185

Lot 186

Lot 187

Lot 188

Lot 189

Lot 190

Lot 191

Lot 192

Lot 193

Lot 194

Lot 195

Lot 196

Lot 197

Lot 198

Lot 199

Lot 200

Lot 201

Lot 202

Lot 203

Lot 204

Lot 205

Lot 206

Lot 207

Lot 208

Lot 209

Lot 210

Lot 211

Lot 212

Lot 213

Lot 214

Lot 215

Lot 216

Lot 217

Lot 218

Lot 219

Lot 220

Lot 221

Lot 222

Lot 223

Lot 224

Lot 225

Lot 226

Lot 227

Lot 228

Lot 229

Lot 230

Lot 231

Lot 232

Lot 233

Lot 234

Lot 235

Lot 236

Lot 237

Lot 238

Lot 239

Lot 240

Lot 241



Planning and Development Department Staff Report Zone Change Request - #22-92000005

DISCUSSION

Location:

The subject site is located at 10807 Houston Dr.

Background Information:

The property is currently zoned Low Density Residential (R-1) and consists of a single primary residential structure. The applicant would like to change the zoning of the property to Large Lot Residential (LLD) to allow for the construction of an accessory structure that exceeds 1000 square feet. The LLD zoning district permits accessory structure that are up to 5000 square feet in total floor area. The overall site is approximately 2.5 acres in total area, exceeding the minimum 1 acre site area that is required for the LLD zoning district.

The attached Exhibit B shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses.

| | Zoning | Land Use |
|--------------|-------------------------------|---------------------|
| North | Light Industrial (LI) | Undeveloped |
| South | Low Density Residential (R-1) | Single Family Homes |
| West | Low Density Residential (R-1) | Single Family Homes |
| East | Low Density Residential (R-1) | Single Family Homes |

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; and signs posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

Staff evaluated land use, access and utility considerations during the review of this application. The following describes staff's analysis:

1. *Land Use.* Staff finds that large lot residential is an ideal fit for the existing site. The current size exceeds the minimum 1 acre for LLD zoning.
2. *Access.* There is sufficient existing right-of-way access from Houston Dr.
3. *Utilities.* The site is connected to city services. No changes are anticipated.

Additionally, the City's Comprehensive Plan identifies a number of items to be considered prior to making land use decisions. The following table breaks down each item and staff findings.



| Criterion: | Staff Findings: |
|--|--|
| Ability of infrastructure to support the permitted use. | Existing infrastructure in the area is sufficient to support the proposed use. |
| Impact on the value and practicality of the surrounding land uses. | Proposed zoning would be consistent with the character of the surrounding area. |
| Conformance of a zoning request with the land use plan. | The proposed zone change is in conformance with the future land use plan. |
| Character of the surrounding and adjacent areas. | The proposed zone change would be consistent with the character of adjoining properties. The neighboring property to the east is being combined into a larger lot and plans to request a zone change to LLD in the future. |
| Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services. | The proposed use will be consistent with other low density/large lot single family in the area. |
| The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road. | The proposed zone change should have no new impact on the traffic in the vicinity. Proposed additions to the site will not change the overall use of the property. |
| The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties. | The proposed zone change will not create excessive air pollution or other negative environmental issues. |
| The gain, if any, to the public health, safety, and welfare of the City. | The proposed zone change will allow for the continued preservation of large acreage lots in the city. |

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change request #22-92000005.

ATTACHMENTS

Exhibit A: Area Map
Exhibit B: Zoning Map

Planning and Zoning Commission
February 17, 2022 – Zone Change #22-92000005



Exhibit C: Future Land Use (FLUP) Map
Exhibit D: Application

EXHIBIT A

Area Map

**Zone Change
#22-92000005**

**10807 Houston Dr.
R-1 to LLD**

Legend



Subject Tract

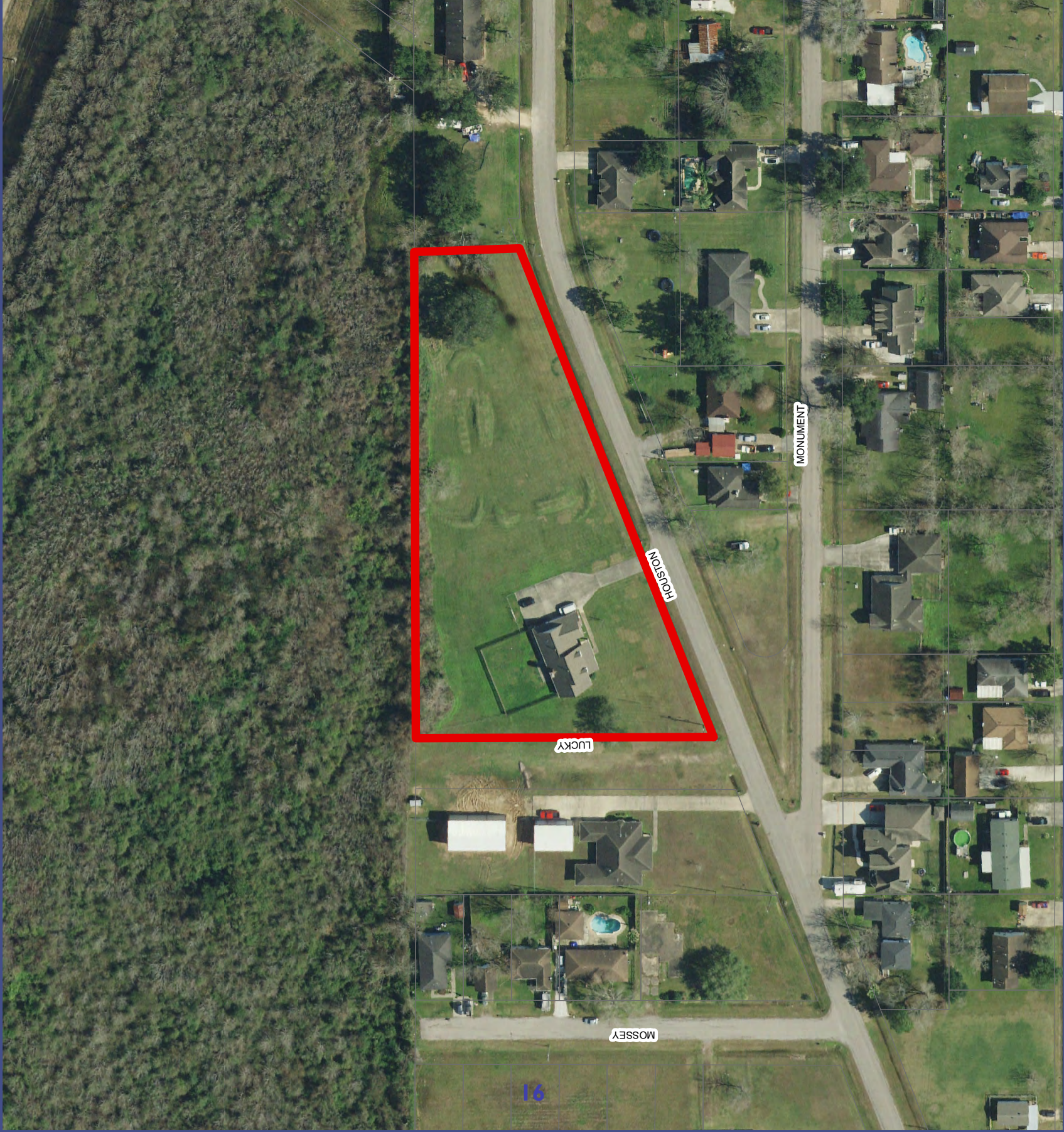


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 125 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Zoning Map

Zone Change
#22-92000005

10807 Houston Dr.
R-1 to LLD

Legend

 Subject Tract

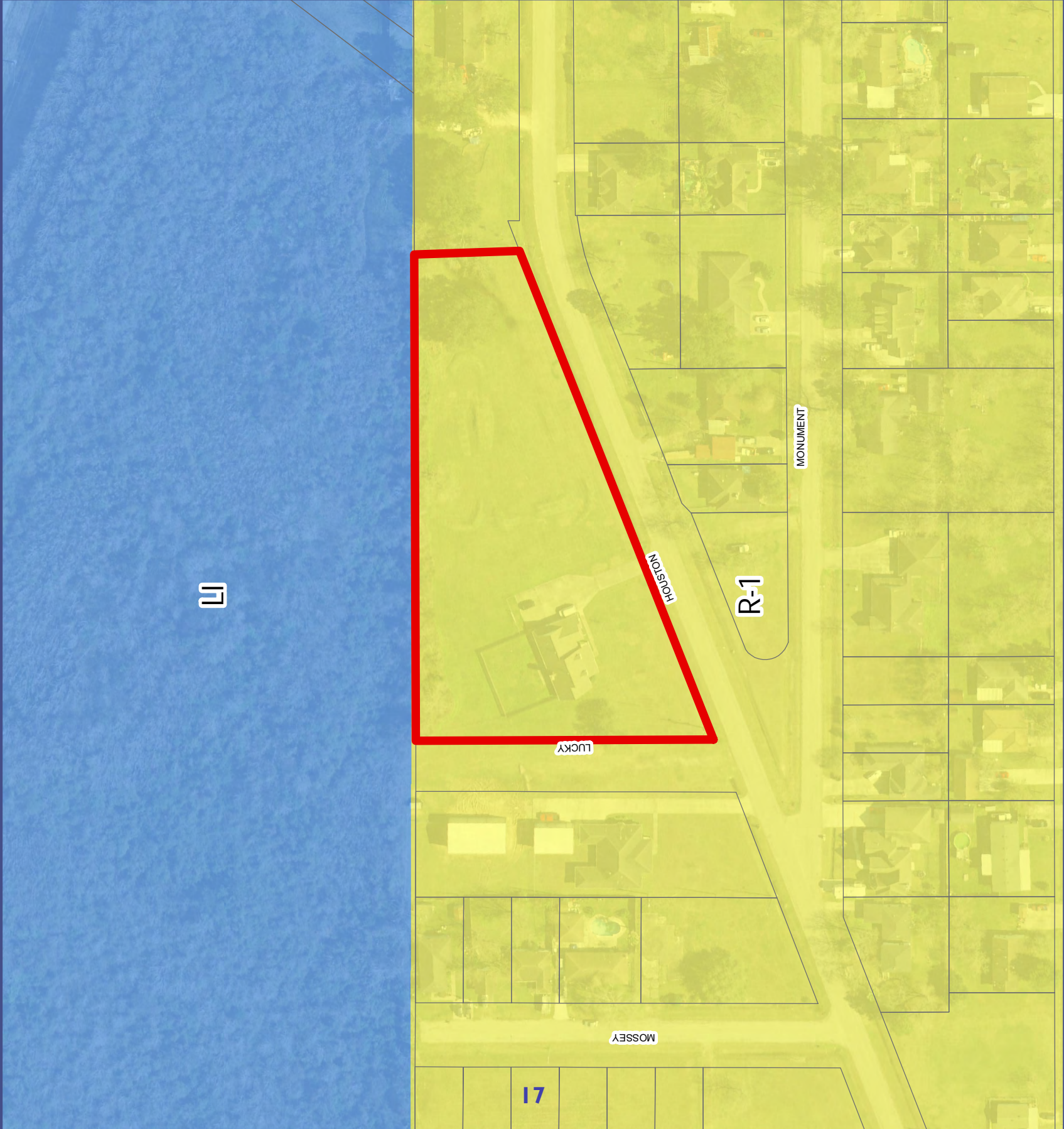


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 125 feet

FEBRUARY 2022
PLANNING DEPARTMENT



FLUP Map

Zone Change
#22-92000005

10807 Houston Dr.
R-1 to LLD

Legend



Subject Tract



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 125 feet

FEBRUARY 2022
PLANNING DEPARTMENT

LL

LI

LDR

Lucky

WOLSTON

MONUMENT

MOSSEY

18



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 10807 Houston Dr. La Porte, Tx 77571
 Legal description where zone change is being requested: RES A & A1 BL K12 Battleground Estates Sec 2
 HCAD Parcel Number where zone change is being requested: 0800280000001
 Zoning District: Low-Density Residential Lot area: 2.4482 acres
A request for approval of a zone change is hereby made to the City of La Porte.
 Description of Request: Our property is currently zoned as (R-1) and we would like to be rezoned as Large Lot Residential (LLD).

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Travis & Britney Barne, tt
 Company (if applicable): _____
 Address: 10807 Houston Dr
 City: La Porte State: TX Zip: 77571
 Phone: 832-656-6428 Email: TaBarnett1983@yahoo.com

AUTHORIZED AGENT (if other than owner)

Name: _____
 Company (if applicable): _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature: Batly Barne Date: 01-04-2022

STAFF USE ONLY:

Case Number:

22-92000005

Date Application Received:

1.4.2022



Zone Change Application
Planning and Development Department

AFFIDAVIT OF POSTING
PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:
ADDRESS: 10807 Houston Dr. La Porte, TX 77571
LEGAL DESCRIPTION: RES A & A1 BLK 12 Battleground Estates Sec 2
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: 01/05/2022
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Brittney Barnett
Applicant's Signature

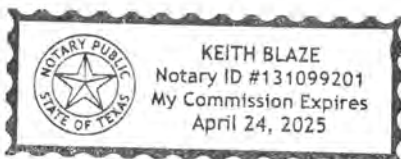
Brittney Barnett
Applicant's Printed Name

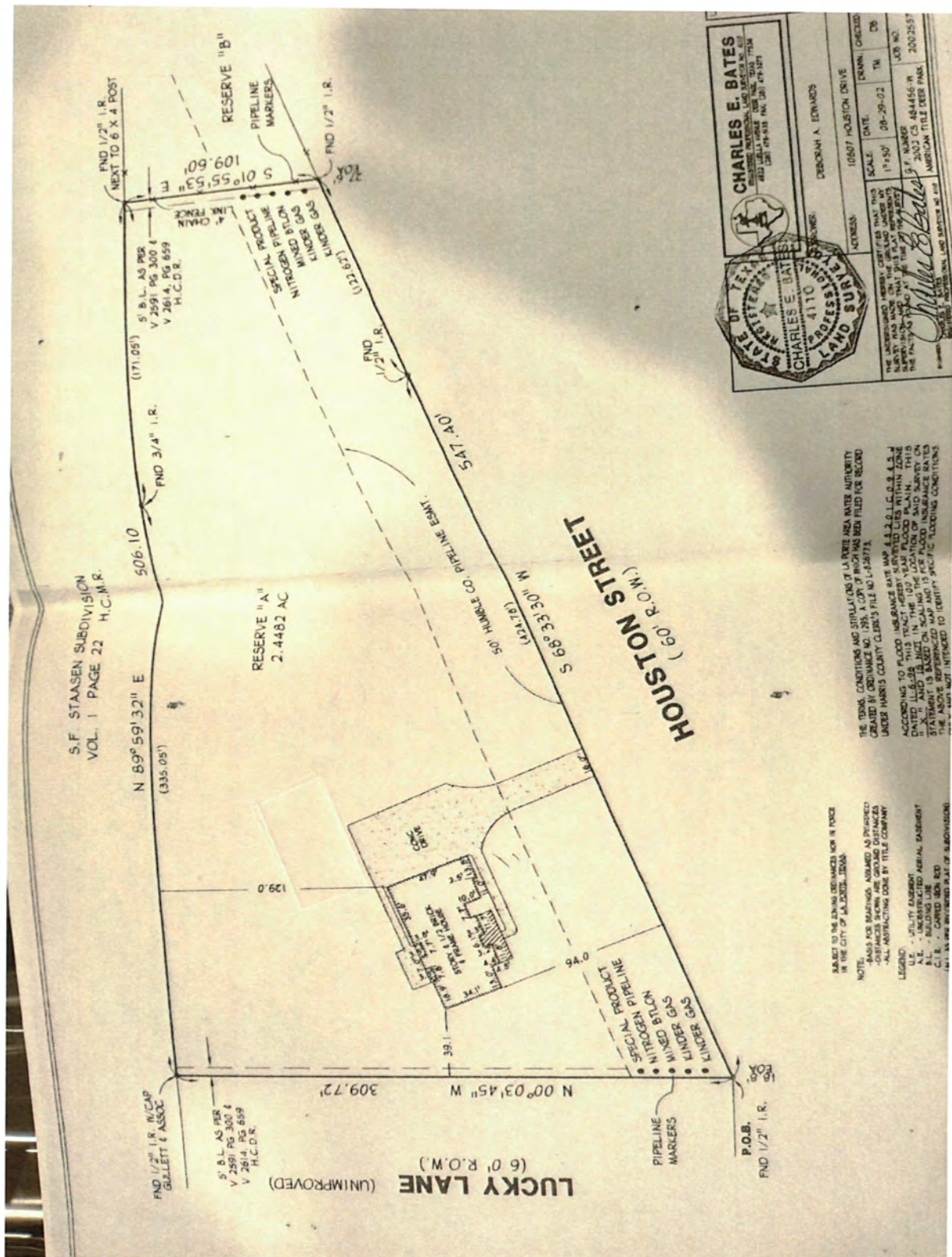
Subscribed and sworn before me this 4 day of January, 2021, by
Brittney Barnett (Print Applicant's Name).

Keith Blaze

Notary Public

My commission expires: 04/24/2025







Planning and Development Department Staff Report SCUP Request - #22-91000002

DISCUSSION

Location:

The subject site is located at the 2200 block of Fairmont Parkway.

Zoning:

Business Industrial (BI)

Background Information:

The subject property is currently undeveloped and owned by ODIA Fairmont, LLC. The owner has a potential tenant interested in relocating their operations to an approximately 8.4-acre tract of land at the southeastern portion of the tract. The current proposal calls for the construction of a single office warehouse building along with an associated truck court and required detention. The building will be approximately 83,185 square feet in total floor are. Global Agri-Trade is the proposed tenant for the site. The proposed use would be classified under NAICS Code 424490 - Other Grocery and Related Products Merchant Wholesalers. This use requires the approval of a Special Conditional Use Permit (SCUP) in the BI zoning district.

Staff has provided a list of nine (9) conditions of approval.

The attached Exhibit B shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses:

| | Zoning | Land Use |
|--------------|--------------------------------|-------------------------------------|
| North | Planned Unit Development (PUD) | Undeveloped |
| South | Bayport Industrial (ETJ) | Industrial Uses |
| West | Business Industrial (BI) | Undeveloped (Future 7-Eleven) |
| East | Business Industrial (BI) | Scaffolding Co. (Turner Industries) |

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; and signs were posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

There are a number of different considerations staff evaluated during the review of this application. The following describes staff's analysis of those considerations:

1. *Land Use.* Staff finds that allowing for a merchant wholesaler use would be consistent with other similar uses in this area along Fairmont Pkwy.



2. *Access*. There is sufficient existing right-of-way access along Fairmont Pkwy.
3. *Utilities*. Water and sewer services are available along Fairmont Pkwy.

Additionally, the City's Comprehensive Plan identifies a number of items to be considered prior to making land use decisions. The following table breaks down each item and staff's finding:

| Criterion: | Staff Findings: |
|--|---|
| Ability of infrastructure to support the permitted use. | Existing infrastructure in the area would be sufficient to service the site. |
| Impact on the value and practicality of the surrounding land uses. | The proposed SCUP would be consistent with other industrial properties in this area along Fairmont Pkwy. |
| Conformance of a zoning request with the land use plan. | The proposed SCUP is in conformance with the future land use plan which designates the area as Business Industrial (BI) |
| Character of the surrounding and adjacent areas. | The proposed use is consistent with the industrial character of this section of Fairmont Pkwy. |
| Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services. | The proposed site has sufficient access to and from the site via Fairmont Pkwy. U turns are not permitted at the intersection of Fairmont Pkwy. and Bay Area Blvd., requiring trucks to either turn left down Bay Area Blvd. or continue west on Fairmont Pkwy. |
| The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road. | The proposed SCUP would have primary access off of Fairmont Pkwy. A Traffic Impact Analysis (TIA) should be conducted prior to development in order to determine if any additional improvements are required to the existing roadway. |
| The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties. | The proposed use should not have a significant impact on environmental integrity of the surrounding area. |
| The gain, if any, to the public health, safety, and welfare of the City. | The proposed project has the potential to increase the tax base and add additional jobs within the city limits. |

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed SCUP #22-91000002. If the Commission chooses to recommend approval, staff has listed a number of conditions that should be considered as part of the approval.

ATTACHMENTS

- Exhibit A: Area Map
Exhibit B: Zoning Map

Planning and Zoning Commission
February 17, 2022 – SCUP #22-91000002



Exhibit C: Future Land Use (FLUP) Map
Exhibit D: Proposed SCUP
Exhibit E: Application

Area Map

SCUP

#22-91000002

2200 Block of
Fairmont Pkwy.

Legend



Subject Tract



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 314 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Zoning Map

SCUP
#22-91000002
2200 Block of
Fairmont Pkwy.

Legend



Subject Tract

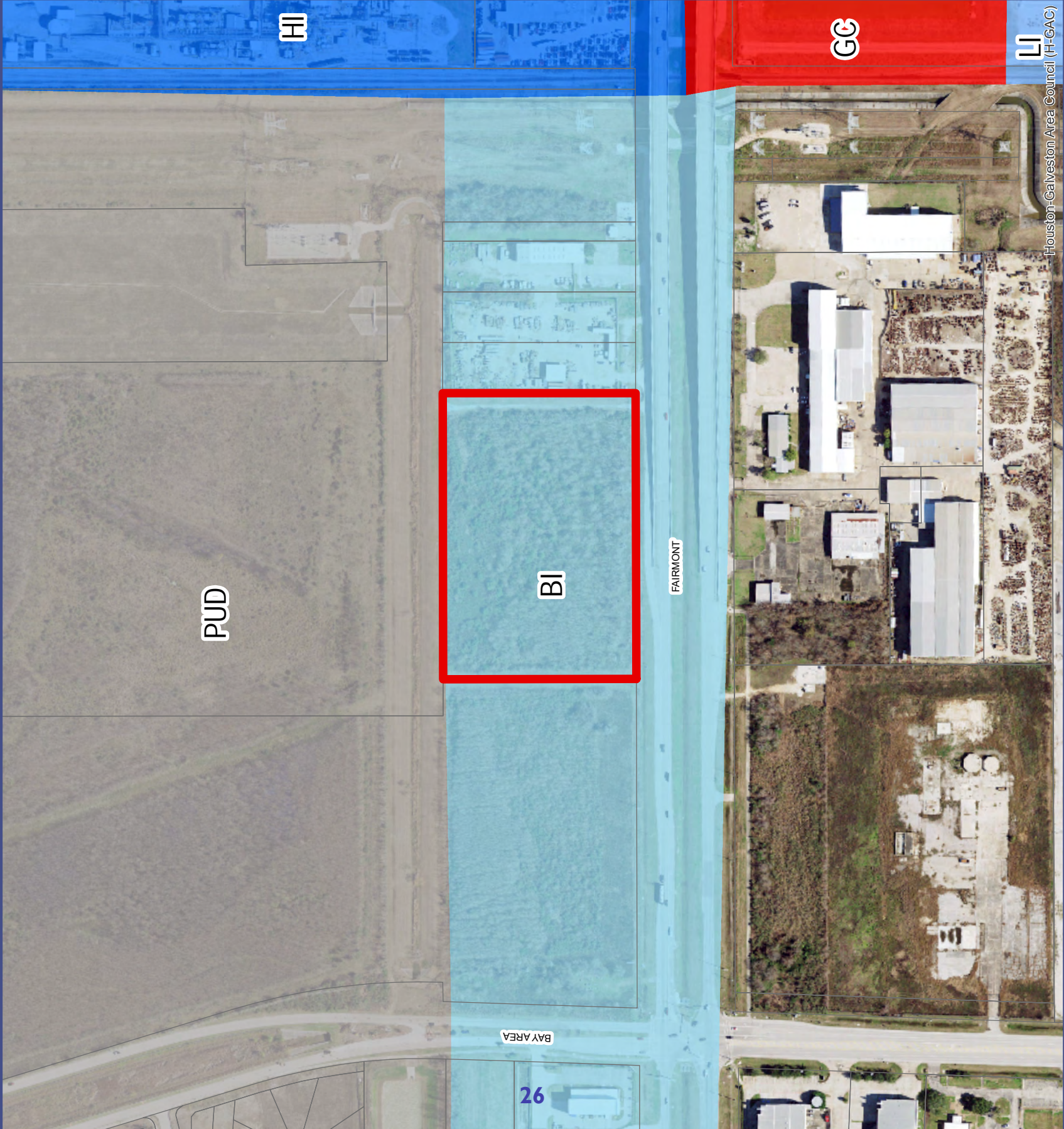


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 314 feet

FEBRUARY 2022
PLANNING DEPARTMENT



FLUP Map

SCUP

#22-91000002

2200 Block of
Fairmont Pkwy.

Legend



Subject Tract

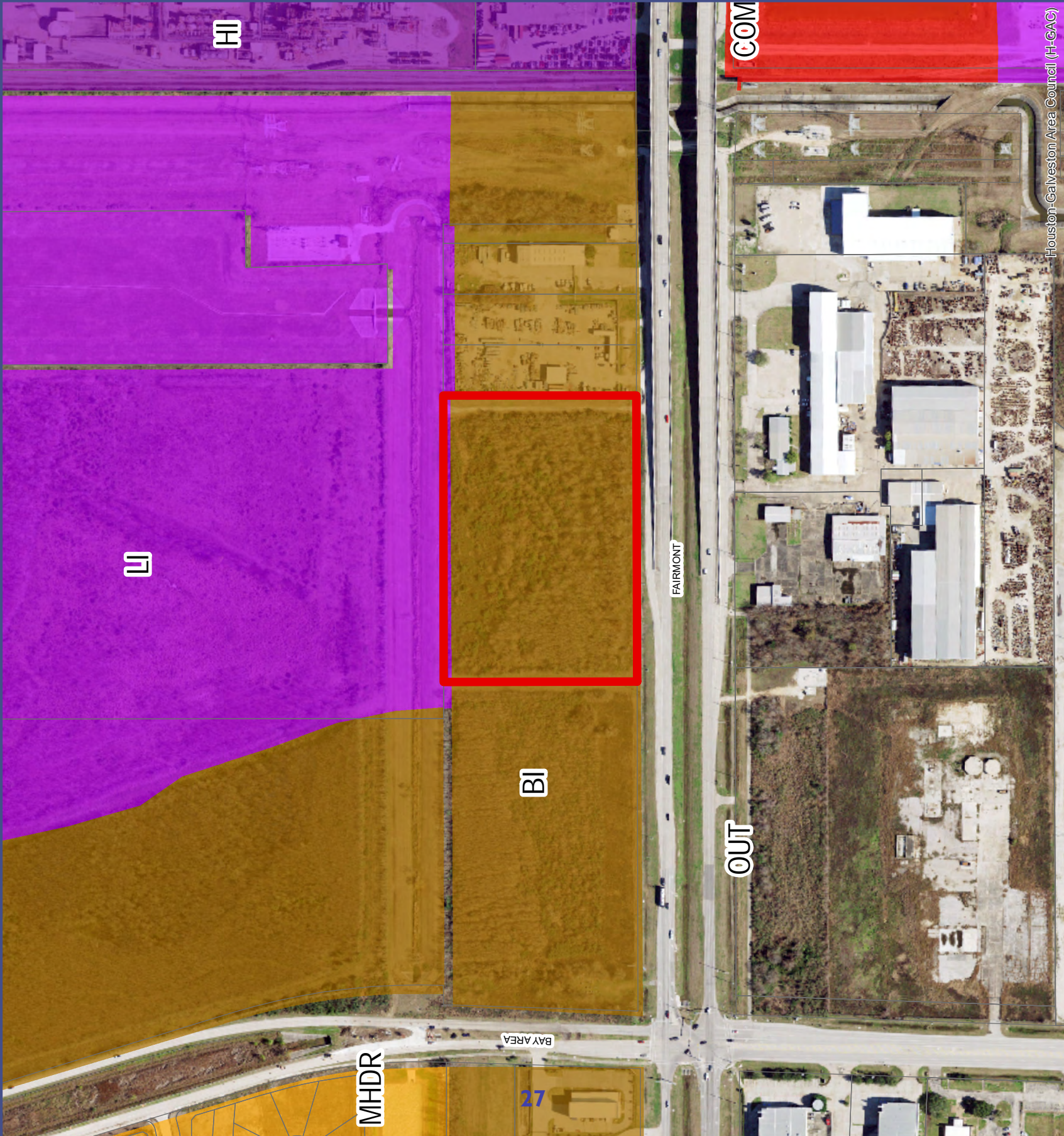


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 314 feet

FEBRUARY 2022
PLANNING DEPARTMENT





City of La Porte
Special Conditional Use Permit
#22-91000002

Applicant: Rick Kight, ODIA Fairmont, LLC
Owner or Agent

7880 San Felipe St, Suite 250, Houston, TX 77063
Address

Development Name/Type: Global Agri-Trade Warehouse Facility

Location: 2200 Block of W. Fairmont Pkwy.

Legal Description: 8.4 acres out of Tracts 2A, 3, 4, 4A, & Tract 23D Bayport, Section 1, Abstract 625, R Pearsall Survey, Harris County, TX

Zoning: Business Industrial (BI)

Use: Merchant Wholesaler

Permit Conditions:

This Special Conditional Use Permit (SCUP) is applicable for the subject property, a copy of which shall be maintained in the files of the City's Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted, if necessary, in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All Merchant Wholesale Uses listed in Chapter 106-310 shall be permitted on site.
3. The proposed building may not exceed 85,000 square feet in total floor area.
4. All truck bays must be located to the rear (north) of the building and screened from view of public right-of-way.
5. All onsite areas utilized for storage, parking, or driving must be paved with either concrete or asphalt.
6. No Shipping containers are permitted to be stored outside unless affixed to a chassis.
7. Any outside storage shall be screened from view of adjoining properties with an 8' tall fence that shall be 100% opaque. Vinyl slating in conjunction with a chain-link fence is permitted.
8. Hazardous materials which may or may not require a placard may not be stored on site for any length of time. This prohibition includes hazardous materials stored in the building or on trucks and shipments of hazardous materials that are defined as in-transit by the Department of Transportation (DOT).
9. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the

portion which is undeveloped.

Validation Date: _____

Director of Planning and Development

City Secretary



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 0 Fairmont Parkway (N side of Fairmont Pkwy approx 870' E of NEC of Fairmont Pkwy & Bay Area Blvd)

Legal description where SCUP is being requested: ±8.4 acres out of 133.93 acre tract in the R Pearsall Survey A-625

HCAD Parcel Number where SCUP is being requested: 0440510000100

Zoning District: BI

Lot area: ±8.4 acres

A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.

Description of Request: Global Agri-Trade, a California Corporation - Port of Houston operations center

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Rick Kight

Company (if applicable): ODIA Fairmont, LLC

Address: 7880 San Felipe St, Suite 250

City: Houston

State: TX

Zip: 77063

Phone: 713-783-9600

Email: rkight@averacompanies.com

AUTHORIZED AGENT (If other than owner)

Name: Jamil Jaffer

Company (if applicable): Global Agri-Trade

Address: 15500 S Avalon Blvd

City: West Rancho Dominguez

State: CA


Zip: 90220

Phone: 562 320 8555

Email: jj@globalagritrade.com

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: 

Date: 01/12/2022

Owner(s) Signature(s): Rick Kight

Digitally signed by Rick Kight
Date: 2022.01.14 14:19:56 -0800

Date: 1.14.22

STAFF USE ONLY:

Case Number:

22-91000002

Date Application Received:

1.14.22
CS



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING

PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:
ADDRESS: 0 Fairmont Parkway (N side of Fairmont Pkwy approx 870' E of NEC of Fairmont Pkwy & Bay Area Blvd)
LEGAL DESCRIPTION: ±8.4 acres out of 133.93 acre tract in the R Pearsall Survey A-625
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: February 2, 2022.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Applicant's Signature

Jamil Jaffer

Applicant's Printed Name

Subscribed and sworn before me this _____ day of _____, _____, by _____
(Print Applicant's Name).

(Seal)

Notary Public

My commission expires: _____



City of La Porte
Planning and Development Department
604 West Fairmont Parkway
La Porte, TX 77571

January 10th, 2022

Dear Members of the Planning and Development Commission,

RE: New Purpose-Built Warehouse on Fairmont Parkway, La Porte

Global Agri-Trade is a 16-year-old privately owned company, that provides RSPO Certified Sustainable edible oil-based shortenings and fats to the US food manufacturing and dairy industries.

We supply high quality, consistent oils and fats for bakery applications from breads and biscuits to cakes, pies and donuts. Our Shortenings are naturally non-GMO, as well as Trans Fat and Cholesterol Free, making our products a natural and healthy choice when it comes to baking fats for production. Global Agri-Trade also supplies high quality, premium animal nutrition ingredients and energy supplements. We have grown to become one of largest importers of these products in the country.

Founded in Los Angeles, California in 2006, we service our customers nationwide with warehouse storage and distribution facilities in Baltimore, Buffalo, Chicago, Houston, Los Angeles, Oakland, Norfolk, Savannah, and Seattle/Tacoma.

Given the increasing demand for our products by Texas based manufacturers, distributors, and farmers, we have augmented our business model to service them through the Port of Houston, where have been working with local public warehouses. It is our view that the time is right to invest in the long term in this market and one way to do so is to operate our own facility and hire our own people, to provide high levels of customer service and maintain exceptional quality standards. We expect to make 10 – 15 new hires from the local community to operate this facility. These roles will be at the Manager and Supervisor levels through to Forklift operator, and they will receive the

15500 S Avalon Blvd
West Rancho Dominguez, CA 90220
Tel: 562-320-8550 Fax 562-256-7551



same generous company benefits as our existing team members across the country. Our expected hours of operation are 7am – 4pm, Monday to Friday, excluding statutory holidays.

Through our affiliated purchasing entity, we wish to acquire +/- 8 acres of land to build a brand new +/- 80,000 square foot 30' clear height warehouse off Fairmont Parkway. We understand that this property is currently located within a Planned Unit Development (PUD), and therefore is required to go through the Special Conditional Use Permit (SCUP) Process.

Additional features of the proposed site include covered loading and onsite container storage behind the building. Daily truck traffic is estimated to be 8 – 10 trucks per day. With regards to Quality Management Systems, this warehouse will be certified for BRC Global Standard for Food Safety and validated for C-TPAT Level 2, as part of our ongoing membership with USCBP.

The approximate value of inventory to be warehoused would be roughly \$8M. Inventory will always be floor stacked, which would mitigate any against any potential fire incident where racking might incumber the sprinkler system. It may be of note that, to date, none of our locations have experienced a fire incident.

We kindly request that you grant approval to allow this project to move forward and thank you in advance for your consideration in the matter. Should you require any further information or have any requests, we would be more than happy to oblige.

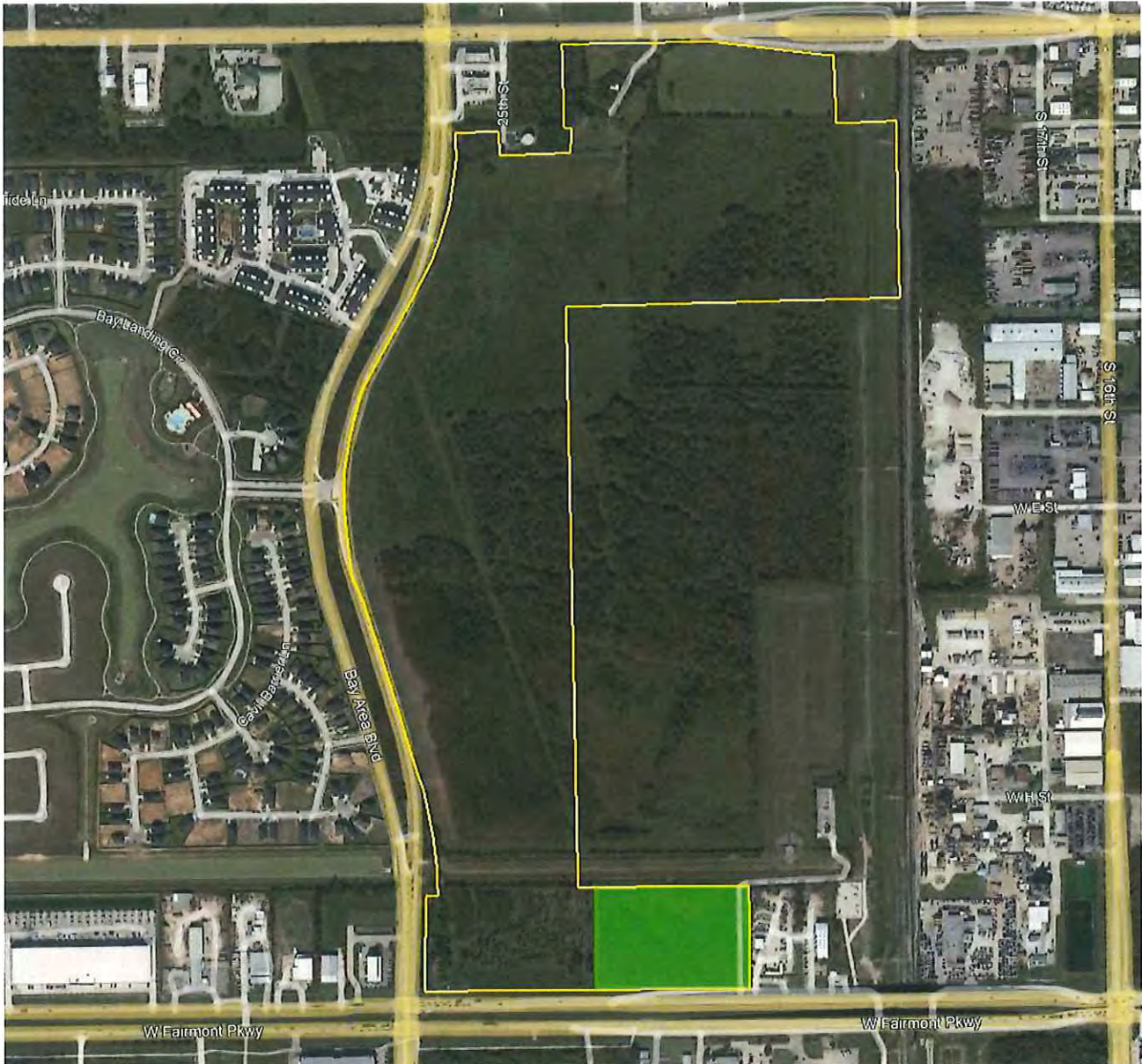
Sincerely,

Jamil Jaffer, MSc
Vice President Operations

15500 S Avalon Blvd
West Rancho Dominguez, CA 90220
Tel: 562-320-8550 Fax 562-256-7551

Aerial 1

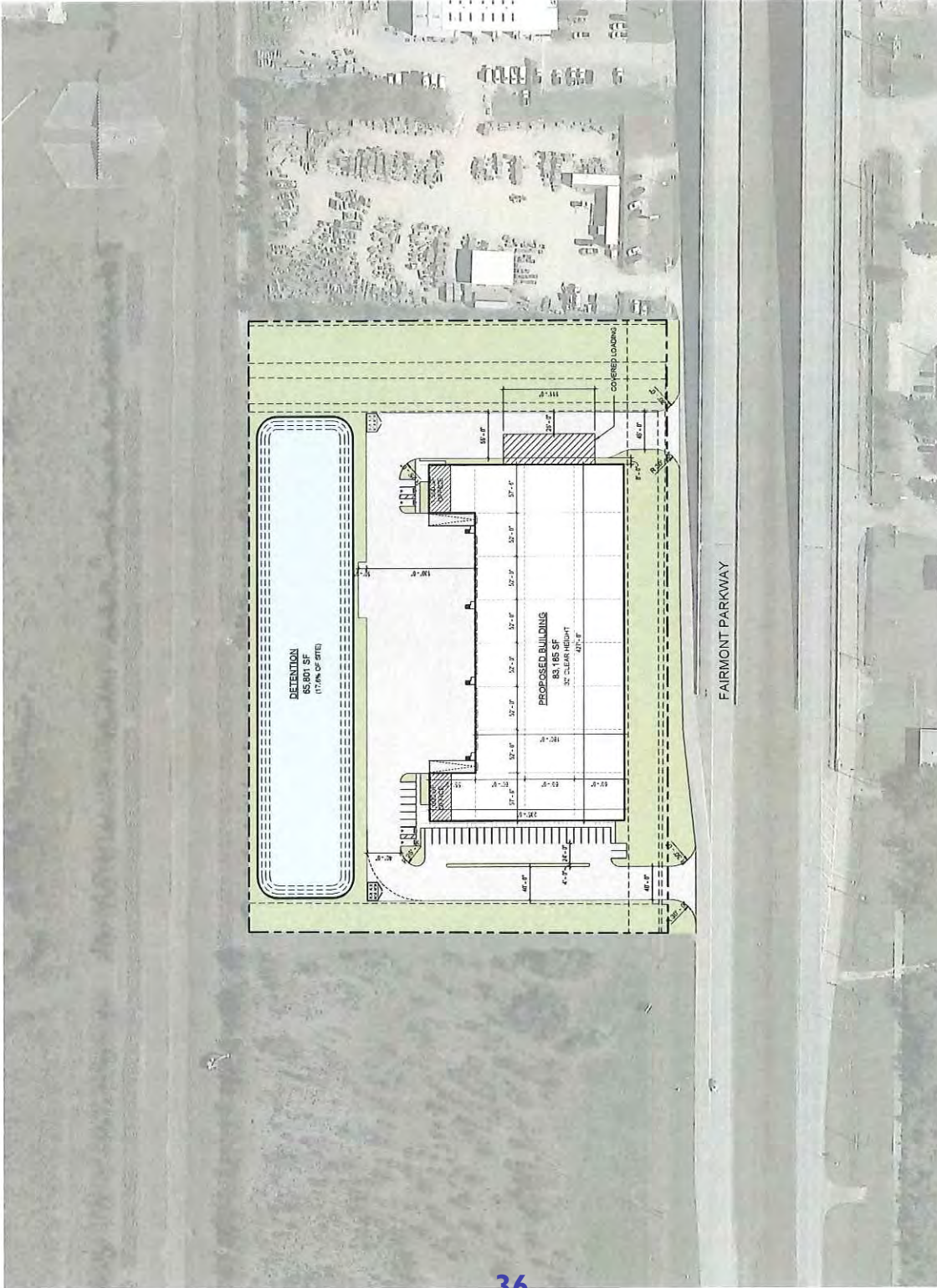
Global Agri Trade area shaded green



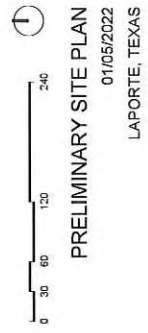
Aerial 2

Global Agri Trade area shade green





| SITE | | |
|-------------------|------------|-------|
| TYPE | AREA | NOTES |
| OVERALL SITE | 8.47 acres | |
| BUILDING | | |
| TYPE | AREA | |
| PROPOSED BUILDING | 83,185 SF | |
| SITE COVERAGE | | |
| TYPE | AREA | |
| SITE COVERAGE | 22.5% | |
| PARKING | | |
| TYPE | SPACES | |
| SURFACE PARKING | 38 | |
| SITE INFORMATION | | |
| TYPE | AREA | |
| DETENTION | 65,801 SF | |
| SKID CH DOOR | | |
| TOTAL | | |
| | 20 | 20 |



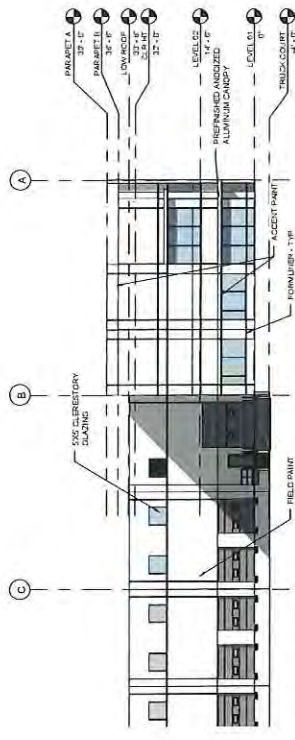
PRELIMINARY SITE PLAN
01/05/2022
LAPORTE, TEXAS

GLOBAL AGRI-TRADE
a project of
AVERA COMPANIES

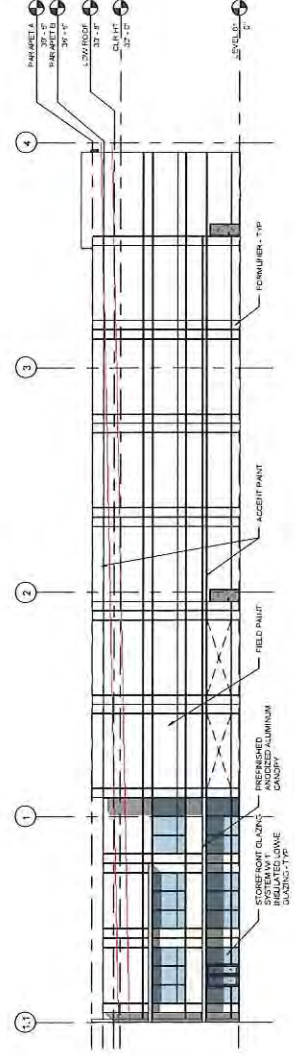
Goree
Infrastructure | Construction | Services



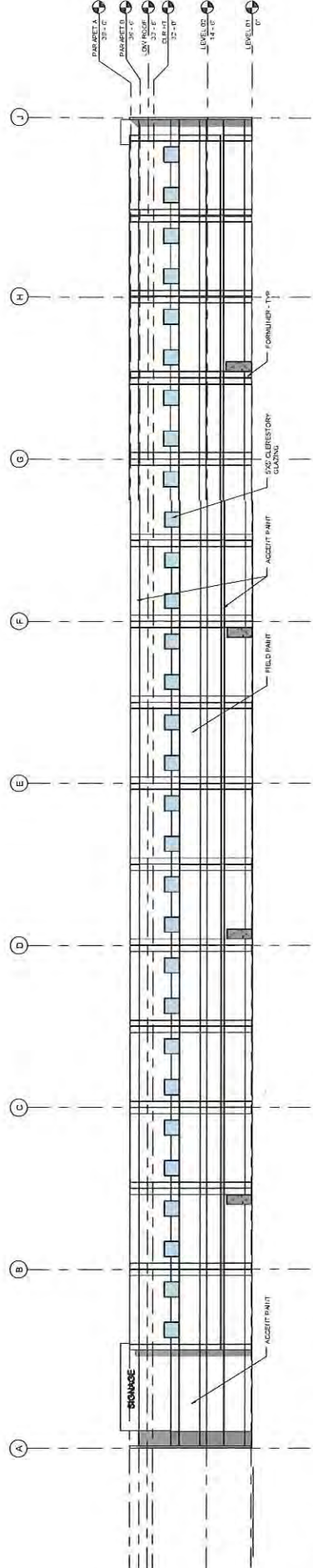




PARTIAL NORTH ELEVATION
SCALE 1/8" = 1'-0"



WEST ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION (FACING FRONTAGE)
SCALE 1/8" = 1'-0"

Global Agri-Trade

Current Facility in Tacoma, Washington







Planning and Development Department Staff Report Zone Change Request - #22-92000004

DISCUSSION

Location:

The subject site is located at the 3900 Block of Underwood Rd.

Legal Description:

Tracts 813 & N 300 feet of Lots 698 & 699; Tracts 698A, 699A & 814; Tracts 698B, 699B & 815
La Porte Outlots, Harris County, Texas

Background Information:

The property is currently developed with a commercial business located on the southern third of the site. The remaining two thirds is undeveloped. The Commission determined that due to the existing commercial development and the character of the surrounding neighborhood, the property should be rezoned from Medium Density Residential (R-2) and Low Density Residential (R-1) to Planned Unit Development (PUD). This will allow for the possibility of the commercial business to continue and expand if requested while allowing for the Commission and City Council to put in place certain mitigation measures to ensure minimal impacts to the surrounding residential developments.

The attached Exhibit B shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses.

| | Zoning | Land Use |
|--------------|-------------------------------|--|
| North | Low Density Residential (R-1) | Single Family Residential (Spenwick Place) |
| South | Low Density Residential (R-1) | Single Family Residential (Summer Winds) |
| West | Low Density Residential (R-1) | Single Family Residential (Summer Winds) |
| East | Low Density Residential (R-1) | Single Family Residential (Fairmont Park) |

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; and signs posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

Staff evaluated land use, access and utility considerations during the review of this application. The following describes staff's analysis:

1. *Land Use.* Staff finds that the PUD zoning will allow for the most flexibility while still protecting the surrounding residential uses.
2. *Access.* There is sufficient existing right-of-way access from Underwood Rd.



3. *Utilities.* The site is currently connected to city utilities.

Additionally, the City's Comprehensive Plan identifies a number of items to be considered prior to making land use decisions. The following table breaks down each item and staff findings.

| Criterion: | Staff Findings: |
|--|---|
| Ability of infrastructure to support the permitted use. | Existing infrastructure in the area is sufficient to support existing and future uses. |
| Impact on the value and practicality of the surrounding land uses. | The proposed zone change will allow for greater flexibility of uses while still affording protections to the surrounding properties. |
| Conformance of a zoning request with the land use plan. | The proposed zone change is in conformance with the future land use plan. |
| Character of the surrounding and adjacent areas. | The proposed zone change, depending on future uses, will either match the character of the surrounding land uses or allow for certain mitigation measures in order to preserve the character of the surrounding area. |
| Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services. | The PUD zoning district does not permit any uses other than agriculture. Any future uses must be approved by the Commission and City Council via a Special Conditional Use Permit (SCUP). |
| The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road. | The proposed zone change will have minimal impact on the traffic in the vicinity. |
| The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties. | The proposed zone change will not create excessive air pollution or other negative environmental issues. Future uses approved via a SCUP will take this criteria into consideration prior to approval. |
| The gain, if any, to the public health, safety, and welfare of the City. | The proposed zone change will protect the rights of the existing commercial use while also ensuring any expansion or requests for additional uses go before the Commission and City Council for review and approval. |

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change request #22-92000004.



ATTACHMENTS

- Exhibit A: Area Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map

Area Map

Zone Change
#22-92000004

R-2/R-1 to
PUD

Legend



Subject Tracts



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Zoning Map

Zone Change
#22-92000004

R-2/R-1 to
PUD

Legend



Subject Tracts

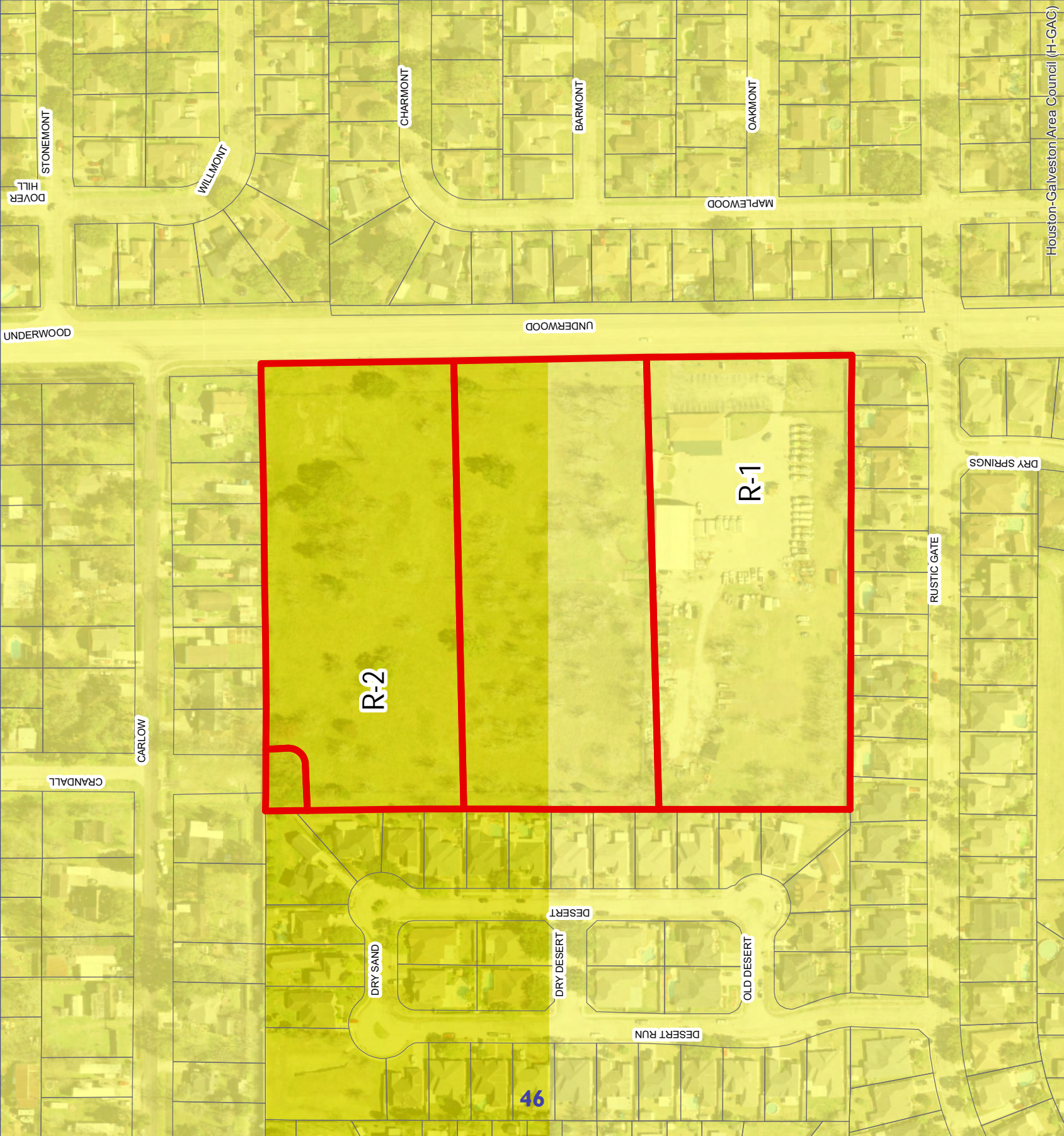


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Zone Change
#22-92000004

R-2/R-1 to PUD

Legend

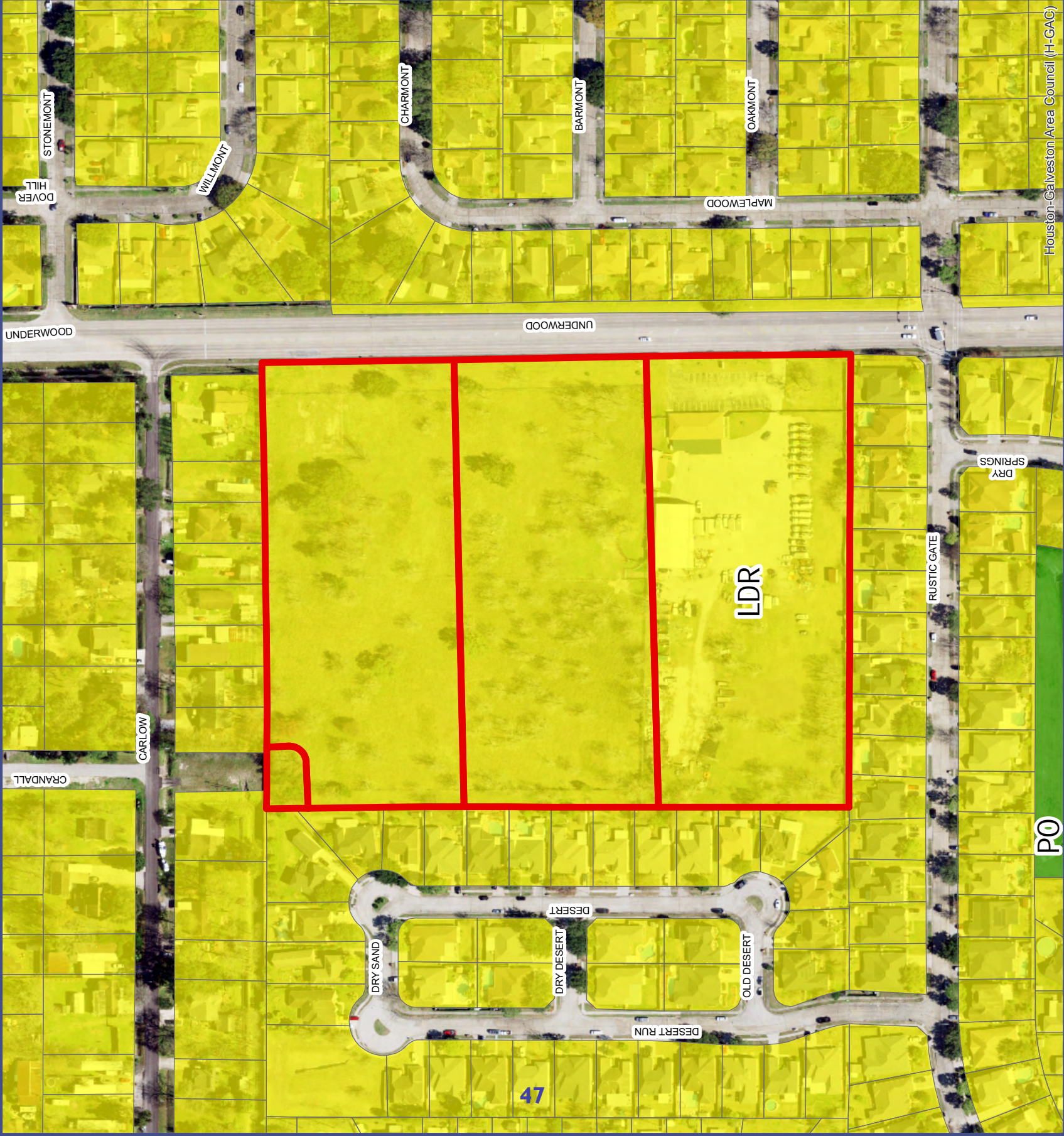


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT





Planning and Zoning
Commission

NOTICE OF A PUBLIC HEARING

Scheduled For **FEBRUARY 17, 2022, 6:00 PM** City Council Chambers

COMMENT SHEET FOR:

Zone Change #22-920000004

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

I would prefer the zone change of the 14.2 acres to be Commercial outright.
But I will also be okay with the current proposal of The Planning and Zoning
Commission for (PUD).

I am **OPPOSED** to granting this request for the following reasons:

La Porte Properties, LLC

Michael A. Fisco

Name (please print)

Signature

3900 Underwood Road

Address

La Porte, Texas 77571-3930

City, State, Zip

*Comment sheets can be returned via mail using the provided self-addressed envelope, by email to planning@laportetx.gov, or in person at City Hall.



Planning and Zoning
Commission

NOTICE OF A PUBLIC HEARING

Scheduled For **FEBRUARY 17, 2022, 6:00 PM** City Council Chambers

COMMENT SHEET FOR:

Zone Change #22-920000004

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

I would prefer the zone change of the 14.2 acres to be Commercial outright.
But I will also be okay with the current proposal of The Planning and Zoning
Commission for (PUD).

I am **OPPOSED** to granting this request for the following reasons:

M Fisco Properties, LLC

Michael A. Fisco

Name (please print)

Signature

3900 Underwood Road

Address

La Porte, Texas 77571-3930

City, State, Zip

*Comment sheets can be returned via mail using the provided self-addressed envelope, by email to planning@laportetx.gov, or in person at City Hall.



Planning and Development Department Staff Report Zone Change Request - #22-92000006

DISCUSSION

Location:

The subject site is located between San Jacinto Ave, Park Dive, and East H Street.

Legal Description:

Lots 21-26, Block 2, Battleground Estates Section 1, & Reserve B, Block 12, Battleground Estates Section 2, Harris County, Texas

Background Information:

The property is currently developed with a mixture of single family homes, medium density residential homes, two non-conforming commercial structures, and a neighborhood park. The Commission determined that due to the existing development and character of the surrounding neighborhood, the property should be rezoned from High Density Residential (R-3) to Low Density Residential (R-1). This change in zoning would conform to the future land use designation of low density residential for this area.

The attached Exhibit B shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses.

| | Zoning | Land Use |
|--------------|--|--|
| North | Low Density Residential (R-1) | Single Family Residential |
| South | Medium Density Residential (R-2) | LPISD Admin and High School |
| West | Medium Density Residential (R-2) | LPISD Admin and High School |
| East | Low Density Residential (R-1) & Mixed Use (MU) | Single Family Residential/Commercial Strip Mall/St. Marys' Catholic Church |

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; and signs posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

Staff evaluated land use, access and utility considerations during the review of this application. The following describes staff's analysis:

1. **Land Use.** Staff finds that low density single family residential zoning is an ideal fit for the existing site in order to maintain the integrity of the surrounding area.
2. **Access.** There is sufficient existing right-of-way access from surrounding and internal roadways.



3. *Utilities.* The site is currently connected to city utilities.

Additionally, the City's Comprehensive Plan identifies a number of items to be considered prior to making land use decisions. The following table breaks down each item and staff findings.

| Criterion: | Staff Findings: |
|--|---|
| Ability of infrastructure to support the permitted use. | Infrastructure in the area is sufficient to support the existing use. |
| Impact on the value and practicality of the surrounding land uses. | The proposed zone change will limit uses to single family residential. This could create non-conforming situations for a number of the sites in the zone change area. |
| Conformance of a zoning request with the land use plan. | The proposed zone change is in conformance with the future land use plan. |
| Character of the surrounding and adjacent areas. | The proposed zone change would be consistent with other properties in the immediate area. |
| Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services. | The majority of existing uses on site are consistent with the low density single family (R-1) zoning district. |
| The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road. | The proposed zone change will have minimal impact on the traffic in the vicinity. |
| The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties. | The proposed zone change will not create excessive air pollution or other negative environmental issues. |
| The gain, if any, to the public health, safety, and welfare of the City. | The proposed zone change will protect existing single family in the area and prevent future intrusion of high density developments into the immediate area. |

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change request #22-92000006.



ATTACHMENTS

- Exhibit A: Area Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map

Area Map

Zone Change
#22-92000006

R-3 to R-1

Legend



Subject Tracts



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT



Zoning Map

Zone Change
#22-92000006

R-3 to R-1

Legend

 Subject Tracts

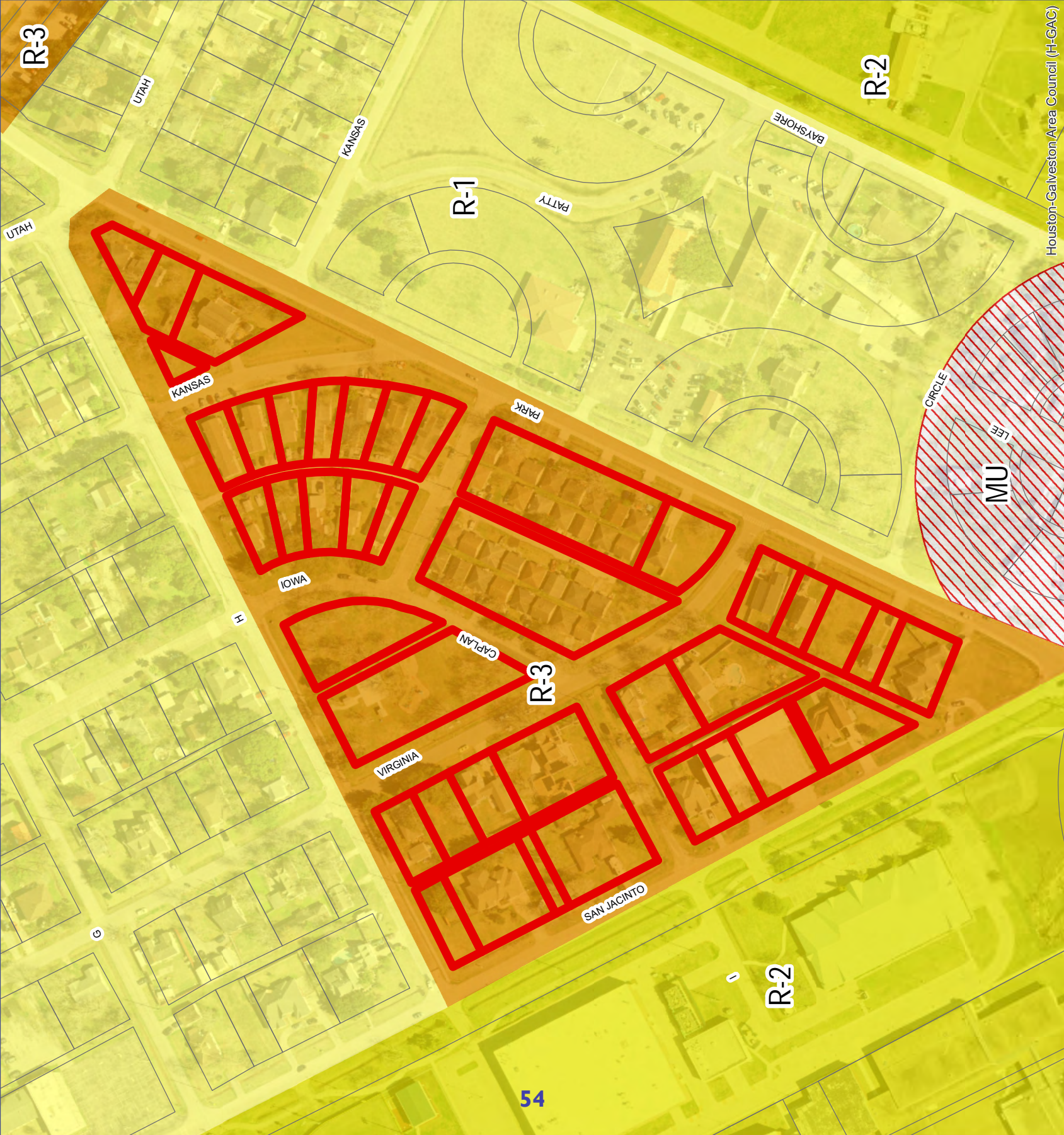


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT



FLUP Map

Zone Change
#22-92000006

R-3 to R-1

Legend



Subject Tracts

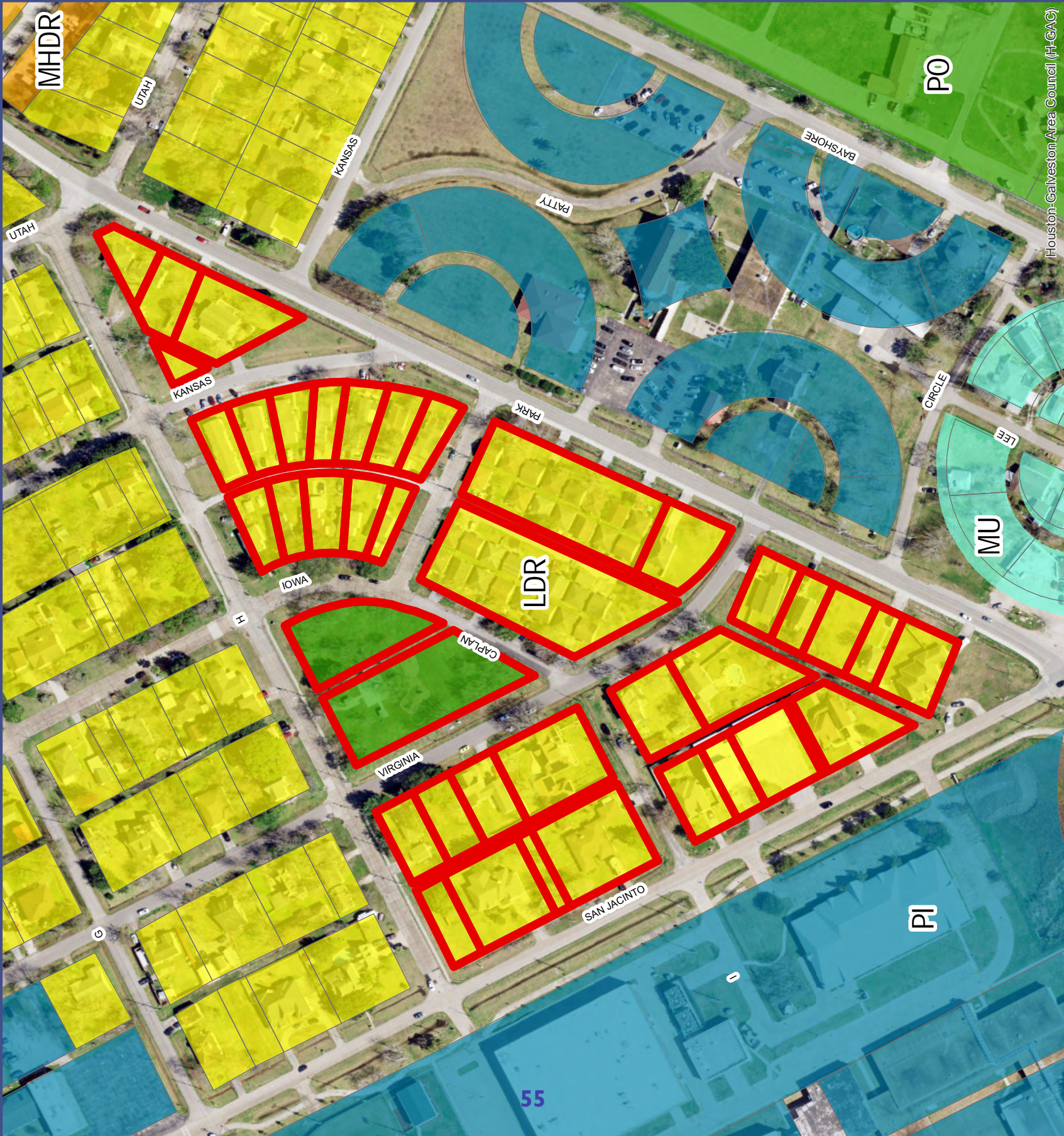


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 188 feet

FEBRUARY 2022
PLANNING DEPARTMENT





Planning and Zoning
Commission

NOTICE OF A PUBLIC HEARING

Scheduled For **FEBRUARY 17, 2022**, 6:00 PM City Council Chambers

COMMENT SHEET FOR:

Zone Change #22-920000006

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

*I agree to change the current zone
from R3 to R1. Keeping it a
small low traffic community, as well as
raising our property value.*

I am **OPPOSED** to granting this request for the following reasons:

(This section is crossed out with a diagonal line)

Cassie Gibson
Name (please print)

CJG
Signature

1003 S. Kansas St
Address

La Porte TX 77571
City, State, Zip

*Comment sheets can be returned via mail using the provided self-addressed envelope, by email to planning@laportetx.gov, or in person at City Hall.



Planning and Zoning
Commission

NOTICE OF A PUBLIC HEARING

Scheduled For **FEBRUARY 17, 2022, 6:00 PM** City Council Chambers

COMMENT SHEET FOR:

Zone Change #22-920000006

I have received notice of the above referenced public hearing.

I am in **FAVOR** of granting this request for the following reasons:

The reason I am in favor is I bought my home in LaPorte in the area I am in because of the family like neighborhood. It is quiet and for the most part very pleasant, safe, quiet neighborhood.

I am **OPPOSED** to granting this request for the following reasons:

Because if the zone change is not done then if something happens to the homes in the zone change area could be business or Apartment all built Right Across from my quiet home, It will change to a very busy road instead of quiet area you feel safe walking down.

Regina McDaniel
Name (please print)

828 1/2 S. Kansas St
Address

Regina McDaniel
Signature

LaPorte Tx 77571
City, State, Zip

*Comment sheets can be returned via mail using the provided self-addressed envelope, by email to planning@laportetx.gov, or in person at City Hall.



Planning and Development Department Staff Report Chapter 106 Amendment - HFTR

DISCUSSION

Background Information:

The Commission has been requested to review the current High Frequency Truck Route (HFTR) language within Chapter 106 of the City Ordinances and to possibly extend the route to two additional road segments. This request stemmed from two existing developments located on West M Street and West D Street respectively. These existing developments lend themselves to uses that require direct adjacency to the HFTR. These section of West M and West D streets connect to S. 16th Street on the east and dead ends into existing railyards to the west. S. 16th Street is designated as an HFTR.

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including notice in a newspaper of general circulation at least 15 days prior to the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Chapter 106 Amendments.

ATTACHMENTS

Exhibit A: Proposed Amendments

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING REGULATIONS RELATED TO DESIGNATION OF HIGH FREQUENCY TRUCK ROADS; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 106, “Zoning,” Article I. “In General”, Section 106-1 “Definitions”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by revising the definition of “High Frequency Truck Road”, and which definition shall hereinafter read as follows:

Sec. 106-1. –Defenitions.

...

“*High Frequency Truck Road* means a road designated by the city intended to accommodate the heavy truck uses corresponding to eligible uses under the North American Industry Classification System (NAICS) and referenced in section 106-746 of this Chapter (Location of heavy truck uses).”

...

Section 2: That Chapter 106, “Zoning,” Article V. “Supplementary District Regulations”, Division 2 “Accessory Buildings, Uses and Equipment” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by revising Section 106-746 “Location of heavy truck uses”, and which section shall hereinafter read as follows:

“106-746. - Location of heavy truck uses.

(1) For purposes of this chapter, those streets and thoroughfares within the corporate limits of the city which are enumerated below are hereby designated as high frequency truck roads.

(2) Heavy truck uses generated from NAICS uses 484110, 484121, 484220, 484230 and 493 shall only be located from or within properties which are assigned NAICS use codes 484110, 484121, 484220, 484230 and 493 shall only be located directly adjacent to the right-of-way of designated high frequency truck roads, provided those uses comply with the underlying zoning classification applicable to the property.

(3) Overnight parking of heavy trucks shall only be permitted on properties within the GC, MU, MSD and NC zoning districts adjacent to high frequency truck roads or in any BI, LI or HI zoning district.

| Route | Extent |
|--|---|
| State Highway 225 (including frontage roads) | Entire extent within corporate limits |
| New State Highway 146 (including frontage roads) | Entire extent within corporate limits |
| Barbours Cut Boulevard | New State Highway 146 east to corporate limits |
| 16th Street | Barbour's Cut Boulevard south to Fairmont Parkway |
| Fairmont Parkway | New State Highway 146 to west corporate limits |
| West Main Street | New State Highway 146 to 16 th Street, and from Underwood Road to west corporate limits |
| Underwood Road | Entire extent within corporate limits |
| Powell Road (S. 16 th Street) | Fairmont Parkway south to 1700 block of Powell Road |
| Export Drive | From South 16 th Street to State Highway 146 |
| South 16 th Street | From south of Export Drive to Wharton Weems Blvd. and McCabe Road connecting with State Highway 146. |
| North Broadway | From north of Barbours Cut Blvd. to North "L" Street. |
| North "L" Street | From west of North Broadway to North 6 th Street |
| North "J" Street | From North 6 th Street to west connecting with State Highway 146. |
| North 8th Street | Barbours Cut Boulevard to a point 300 feet north of the north right-of-way line of Barbours Cut Boulevard |
| West "M" Street | From South 16 th Street, west to the existing railyard |
| West "D" Street | From South 16 th Street, west to dead end at 1903 West D St. |

Section 3: That Chapter 106, “Zoning,” Article III. “Districts”, Division 1 “Generally”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by revising Section 106-310 “Table A, Commercial & Industrial Uses”, Footnote “6”, and which footnote shall hereinafter read as follows:

...

“Footnotes:

6 Must be adjacent to high frequency truck roads as designated in Section 106-746 of this Chapter as shown on ~~High Frequency~~ Truck Road Map (Ref. ~~Section 106-746~~).

...

Section 4. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 5. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 8. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2022.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark Askins, City Attorney



Discussion Item

- a. Possible zone change for portions of S. 3rd and S. 2nd Streets.
- b. Chapter 106 Subcommittee.



Administrative Report

- a. Council Action Update.
- b. Next Regular Meeting – March 17, 2022



COUNCIL ACTION

| Application # | Request | Location | P&Z Meeting | P&Z Action | CC Meeting | CC Action |
|------------------|------------|-----------------|-------------|------------|------------|--------------|
| ZC 21-92000005 | R-2 to PUD | 3337 Canada | 12.16.2021 | DENIED | 01.24.2022 | APPROVED 8-1 |
| FLUP 21-92000005 | RES-LI | 3337 Canada | 12.16.2021 | DENIED | 01.24.2022 | APPROVED 8-1 |
| SCUP 21-91000009 | LI Uses | 3337 Canada | 12.16.2021 | DENIED | 01.24.2022 | APPROVED 8-1 |
| SCUP 22-91000001 | 2nd Dwell | 9305 Carlow Ln. | 01.20.2022 | APPROVED | 02.28.2022 | |
| ZC 22-92000001 | R-2 to R-1 | Group A | 01.20.2022 | APPROVED | 02.28.2022 | |
| ZC 22-92000002 | R-2 to R-1 | Group C | 01.20.2022 | APPROVED | 02.28.2022 | |
| ZC 22-92000003 | R-2 to R-1 | Group D | 01.20.2022 | APPROVED | 02.28.2022 | |