

**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, MARCH 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/89612707864?pwd=dm1CeVNHUzlwenpKNVZXc2wvaEZGZz09>  
Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 896 1270 7864. The passcode is 568220.

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1. **CALL TO ORDER**
2. **ROLL CALL OF MEMBERS**
3. **CONSIDER APPROVAL OF THE MEETING MINUTES:** Approve the minutes of the February 17, 2022 regular meeting of the Planning and Zoning Commission.
  1. **RESIDENTIAL REPLAT #21-97000007:** The Commission will hold a public hearing for Residential Replat #21-97000007, pursuant to an application from Shank Engineering, on behalf of Top Quality Builders, LLC, owners, for the proposed Partial Replat of Sylvan Beach First Subdivision, a 0.283-acre replat located at 226 S. Bayshore Dr. and legally described as Lots 19-20, Block 9, Sylvan Beach First Subdivision, Harris County, Texas.
    - a. Staff Presentation
    - b. Public Comments (Limited to 5 minutes per person)
    - c. Adjourn Hearing
  2. **COMMISSION DISCUSSION AND POSSIBLE ACTION:** Residential Replat #21-97000007.
  3. **ZONE CHANGE REQUEST #22-92000007:** The Commission will hold a public hearing for Zone Change Request #22-92000007, 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 20.8-acre tract of land located east of S. Broadway Street and south of K Street; legally described as Lots 7-12, Block 14; Lots 1-12, Block 15; Lots 1-16, Block 18; & Lots 1-14, Block 19, Sylvan Beach; Lots 1-6, Block 1, Sylvan Beach Replat; Lots 25-35, Block 1114; Lots 1-31 & 45-48, Block 1118; & Lots 1-43, Block 1161 Town of La Porte, Harris County, Texas.
    - a. Staff Presentation
    - b. Public Comments (Limited to 5 minutes per person)
    - c. Adjourn Hearing

- 4. COMMISSION DISCUSSION AND POSSIBLE ACTION:** Zone Change Request #22-92000007.
- 5. FUTURE LAND USE MAP AMENDMENT:** The Commission will consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 20.8-acre tract of land located east of S. Broadway Street and south of K Street; legally described as Lots 7-12, Block 14; Lots 1-12, Block 15; Lots 1-16, Block 18; & Lots 1-14, Block 19, Sylvan Beach; Lots 1-6, Block 1, Sylvan Beach Replat; Lots 25-35, Block 1114; Lots 1-31 & 45-48, Block 1118; & Lots 1-43, Block 1161 Town of La Porte, Harris County, Texas, from “Mid-High Density Residential” to “Low Density Residential”.
- 6. ZONE CHANGE REQUEST #22-92000008:** The Commission will hold a public hearing for Zone Change Request #22-92000008, 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 39.4-acre tract of land located east of S. Broadway St. and south of Garfield Street; legally described as Lots 1-6, Block 16; Lots 1-5, Block 17; & Tracts 18 & 19, Sylvan Beach; Lots 1-16, Block 1145; Tracts 32A, 33, 33A, 33B, 34, 44, 44A, 45, Lots 1-32 & Tracts A, B & C, Block 1255; & Tracts A & B & Lot 1, Block 1218, Town of La Porte; & Tracts 32,41,42 & 47, Abstract 35, J Hunter Survey, Harris County, Texas.
- d. Staff Presentation
  - a. Public Comments (Limited to 5 minutes per person)
  - b. Adjourn Hearing
- 7. COMMISSION DISCUSSION AND POSSIBLE ACTION:** Zone Change Request #22-92000008.
- 8. FUTURE LAND USE MAP AMENDMENT:** The Commission will consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 1.19-acre tract of land located at the 1700 Block of S. Broadway Street; legally described as Lots 1-15, Block 1445, Town of La Porte, Harris County, Texas, from “Commercial” to “Low Density Residential”.
- 9. ADMINISTRATIVE REPORTS:**
- a. Council Action Update.
  - b. Next Regular Meeting – May 19, 2022. (No April meeting)
- 10. COMMISSION COMMENTS:** Comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.

## **11. ADJOURN**

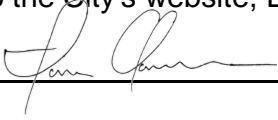
A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

**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 **March 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: City PlannerDATE OF POSTING 03.09.2022TIME OF POSTING 2:45 PM

TAKEN DOWN \_\_\_\_\_



## **Approval of Meeting Minutes**

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- a. February 17, 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 FEBRUARY 17, 2022**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, February 17, 2022, 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:** Chairman Hal Lawler; Commissioners Richard Warren; Donna O'Conner; Joe Mock; Mark Follis and James Walter.

**Commissioners absent:** Commissioners Lou Ann Martin; Christina Tschappat; and Nolan Allen.

**City Staff present:** Ian Clowes, City Planner; Teresa Evans, Planning and Development Director; Chase Stewart, Planning Technician; Clark Askins, Assistant City Attorney; Corby Alexander, City Manager (via zoom).

1. **CALL TO ORDER** –Chairman Lawler called the meeting to order at 6:01 PM
2. **ROLL CALL OF MEMBERS:** – Commissioners Martin, Tschappat, and Allen were absent.
3. **CONSIDER APPROVAL OF THE MEETING MINUTES:**
  - a. Approve the minutes of the meeting held on January 20, 2022.  
Commissioner O'Conner moved to approve the meeting minutes; the motion was adopted, 6-0.
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.  
  
The hearing was opened at 6:02 PM. City Planner Ian Clowes presented the Plat and explained the reasoning behind the request.
5. **ADJOURN PUBLIC HEARING:** 6:06 PM  
  
Commissioner O'Conner moved to approve the plat; the motion was adopted, 6-0.
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.

The hearing was opened at 6:09 PM. City Planner Ian Clowes presented the request and provided background information.

**7. ADJOURN PUBLIC HEARING: 6:13 PM.**

Commissioner Warren moved to recommend approval of Zone Change Request #22-92000005 as presented; the motion was adopted, 6-0.

**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 ODIA 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.

The hearing was opened at 7:13 PM. (this item was moved to later in the agenda due to a conflict with the applicant being held up in traffic).

City Planner Ian Clowes presented the SCUP request and provided details regarding the operation and location of the proposed facility. City Planner Clowes also listed the nine (9) recommended conditions of approval.

The applicant representative, Chris Couch of the AVERA Companies, spoke and provided additional details and answered questions from the Commission.

Theresa Nowetner, 10906 Spruce Dr, spoke in opposition to the proposed SCUP stating concerns with current traffic conditions on W. Fairmont Pkwy.

**9. ADJOURN PUBLIC HEARING: 7:30 PM.**

Commissioner Follis moved to recommend approval of SCUP Request #22-91000002 as presented with the 9 conditions listed by staff; the motion was adopted, 5-1. Commissioner O'Conner was the dissenting vote

**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.

The hearing was opened at 6:14 PM. City Planner Ian Clowes presented the Zone Change request and explained how this was a Commission initiated zone change.

Jeff Fruge of Beach City, TX stated that he owned property in the affected area and wanted to know how this would impact him.

Russell Hargett, 3617 E. Desert Dr. had concerns with a possible development in his backyard.

Donald Davis, 3621 E. Desert Dr. had concerns regarding ongoing drainage concerns from the subject property.

Michael Fisco, 3900 Underwood, owns the property and explained the background of the current operations and addressed some of the neighbors' concerns

Carolyn Johnson, 9613 Rustic Gate Rd. also had concerns regarding the drainage issue on the subject property.

Bob Wagstaff, Summerwinds HOA President, had concerns regarding the small HOA owned parcel at the northwest corner and how this zone change would affect the usability of said tract.

Richard Laird, 9610 Rustic Gate Rd, suggested rezoning the property to R-1.

Cliff Hagemeister, 3613 E. Desert Dr. also had concerns with ongoing drainage issues.

**11. ADJOURN PUBLIC HEARING: 7:08 PM.**

Commissioner O'Conner moved to recommend approval of Zone Change Request #22-92000004 as presented; the motion was adopted, 6-0.

**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.

The hearing was opened at 7:31 PM. 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.

**13. ADJOURN PUBLIC HEARING: 7:35 PM.**

Commissioner Follis moved to recommend approval of Zone Change Request #22-92000006 as presented; the motion was adopted, 6-0

**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.

The hearing was opened at 7:36 PM. City Planner Ian Clowes presented the proposed amendment language regarding changes to the High Frequency Truck Route (HFTR).

The Commissioners had no additional questions regarding this request.

**15. ADJOURN PUBLIC HEARING: 7:40 PM.**

**16. DISCUSSION ITEM:**

- a. Possible zone change for portions of S. 3<sup>rd</sup> and S. 2<sup>nd</sup> Streets.

Staff explained the concern regarding a number of existing single family homes that are part of an established neighborhood but zoned GC. The Commission instructed staff to look into a possible City initiated zone change for the area.

- b. Chapter 106 Updates Subcommittee

The subcommittee was finalized and will include Commissioners Tschappat, Walter, O'Conner, and Mock.

**17. 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 – March 17, 2022

**ADJOURN:** Commissioner O'Conner made the motion to adjourn at 7:59 PM; the motion was adopted 7-0.

\_\_\_\_\_  
Hal Lawler, Planning and Zoning Commission Chairman

\_\_\_\_\_  
Chase Stewart, Planning Technician



## Planning and Development Department Staff Report Residential Replat - #21-97000007

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### DISCUSSION

#### Applicant's Request:

The applicant, Shank Engineering, is requesting approval of a residential replat for a portion of the Sylvan Beach First Subdivision, located at 226 S. Bayshore Dr. The 0.283-acre tract is being replatted to reorient existing lots. The lots currently are oriented towards Garfield Street. The applicant has replatted the lots to now be oriented towards S. Bayshore Drive. This falls in line with the orientation of the existing home on the northern portion of the property.

#### Background Information:

The site is zoned Low Density Residential (R-1). The newly created lots will each be greater than 6,100 square feet. The minimum lot area for the R-1 zoning district is 6,000 square feet.

The table below indicates the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b><i>North</i></b>	R-1, Low Density Residential	Single Family Residential
<b><i>South</i></b>	R-1, Low Density Residential	Single Family Residential
<b><i>West</i></b>	R-1, Low Density Residential	Single Family Residential
<b><i>East</i></b>	R-1, Low Density Residential	Single Family Residential

### RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the residential replat of Lots 19-20, Block 9 of the Sylvan Beach First Subdivision.

### ATTACHMENTS

- Area Map
- Zoning Map
- Land Use Map
- Sylvan Beach First Replat



# Area Map

Residential Replat  
#21-9700007

226 S. Bayshore

## 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 = 60 feet

MARCH 2022  
PLANNING DEPARTMENT





# Zoning Map

Residential Replat  
#21-97000007

226 S. Bayshore

## Legend



Subject Tracts



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1 inch = 60 feet

MARCH 2022  
PLANNING DEPARTMENT





# FLUP Map

Residential Replat  
#21-9700007

226 S. Bayshore

## 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 = 60 feet

MARCH 2022  
PLANNING DEPARTMENT





THE STATE OF TEXAS  
COUNTY OF HARRIS

We, Texas Quality Builders, LLC, a Texas Limited Liability Company, acting by and through, Francis John Payne and Joseph Mike Payne, herein referred to as owners of the Lot 19A described in the above and foregoing map of REPLAT OF LOTS 19 AND 20 BLOCK 9 SYLVAN BEACH FIRST SUBDIVISION 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, alleys, parks, water courses, drains, easements and public places shown hereon for the purposes and considerations herein expressed and assigns to their 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 (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 the plat are originally intended for the construction of residential thereon and shall be restricted for some under the terms and conditions of such restrictions filed separately.

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions.

In TESTIMONY WHEREOF, Top Quality Builders, LLC, has caused these presents to be signed by Francis John Payne, its \_\_\_\_\_ thereunto authorized, attested by its \_\_\_\_\_, Joseph Mike Payne, the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By \_\_\_\_\_  
Francis John Payne  
Top Quality Builders, LLC  
Title \_\_\_\_\_

ATTEST:  
By \_\_\_\_\_  
Joseph Mike Payne  
Title \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Francis John Payne and Joseph Mike Payne, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public in and for  
The State of Texas  
My Commission Expires \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF HARRIS

We, Green Valley Construction, LLC, a Texas Limited Liability Company, acting by and through, Joseph Martin, herein referred to as owner of the Lot 19B described in the above and foregoing map of REPLAT OF LOTS 19 AND 20 BLOCK 9 SYLVAN BEACH FIRST SUBDIVISION 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, alleys, parks, water courses, drains, easements and public places shown hereon for the purposes and considerations herein expressed; 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 (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 the plat are originally intended for the construction of residential thereon and shall be restricted for some under the terms and conditions of such restrictions filed separately.

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions.

In TESTIMONY WHEREOF, Green Valley Construction, LLC, has caused these presents to be signed by Joseph Martin, its \_\_\_\_\_ thereunto authorized, , the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By \_\_\_\_\_  
Joseph Martin  
Green Valley Construction, LLC  
Title \_\_\_\_\_

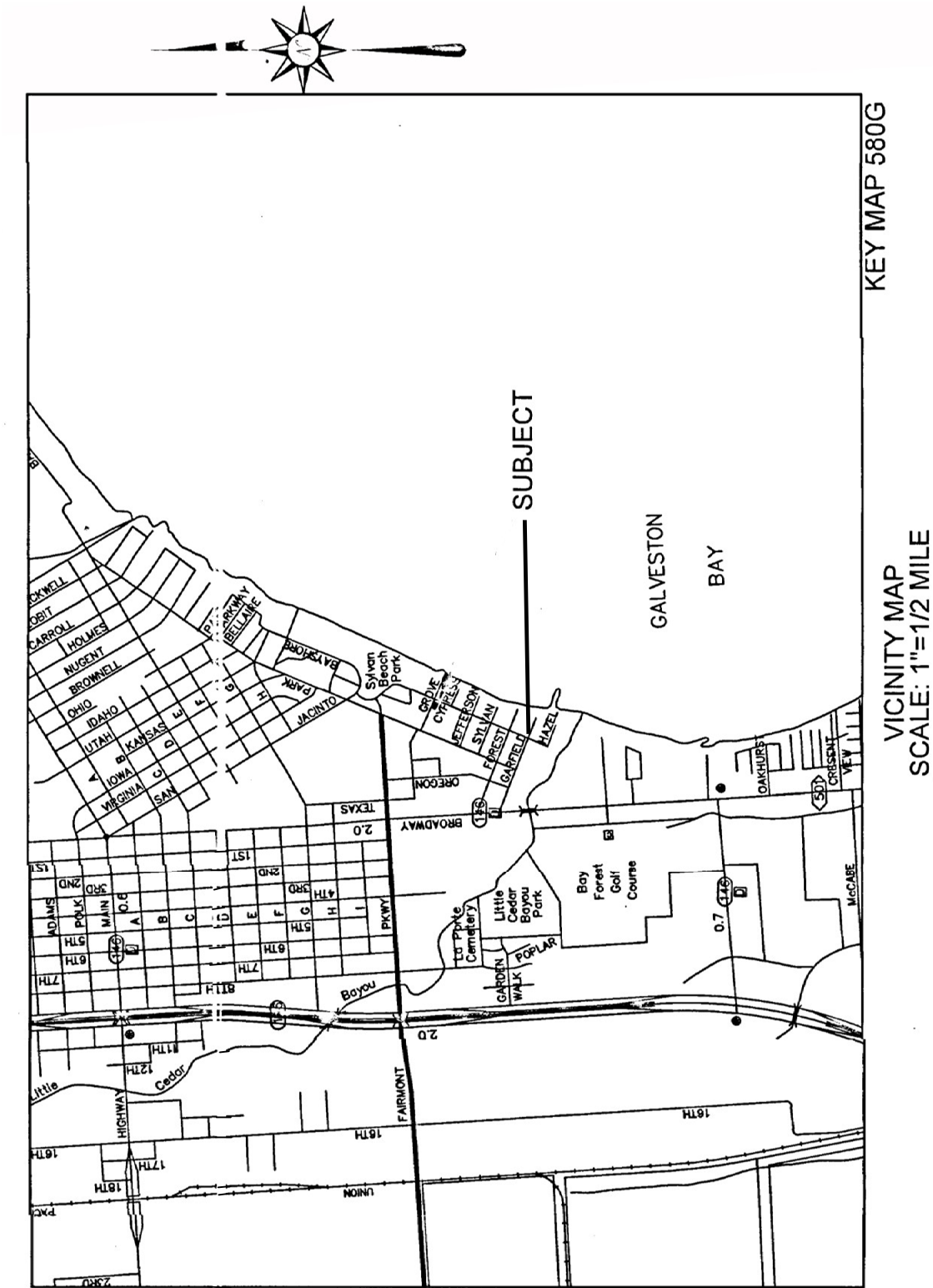
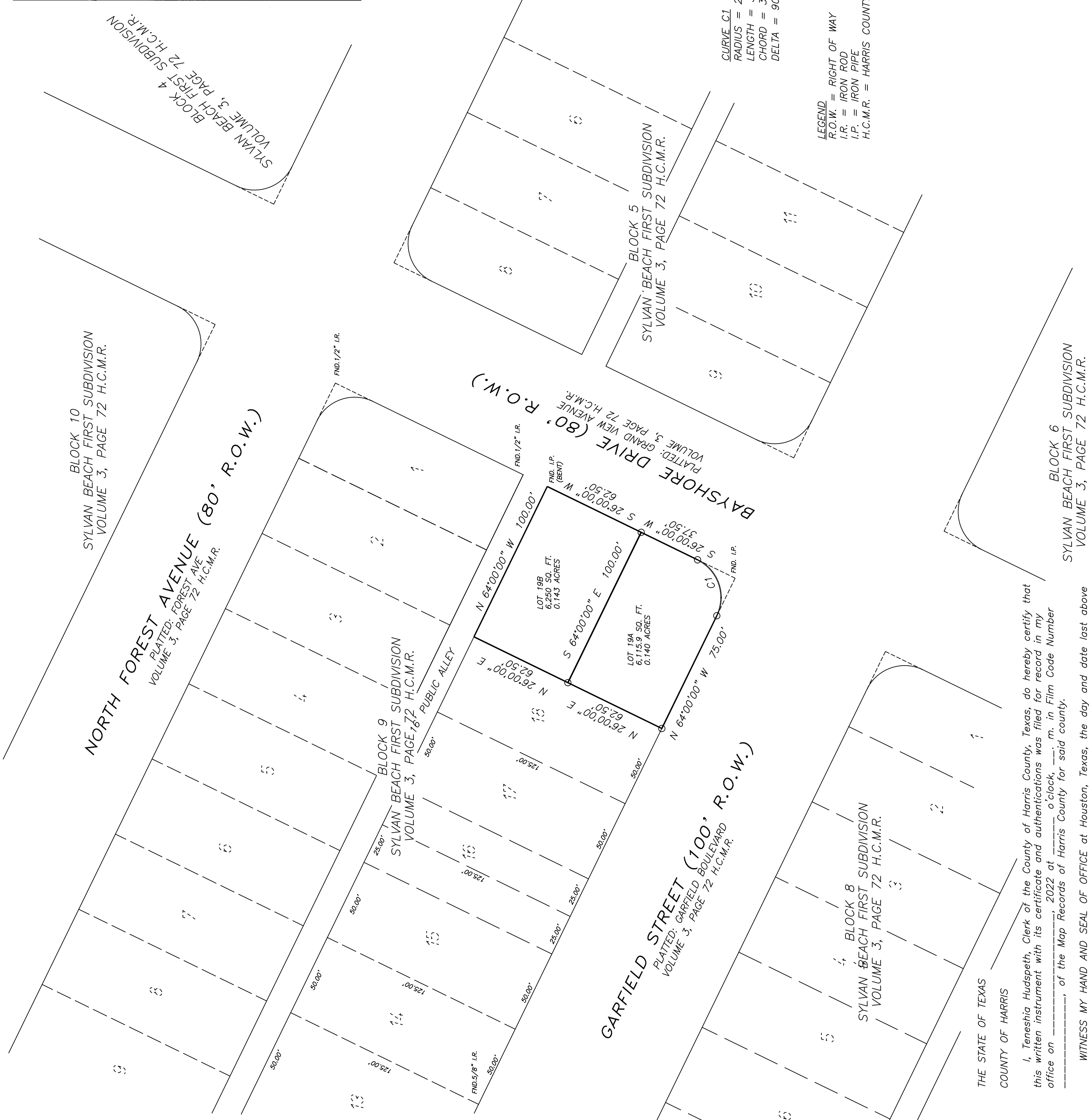
THE STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Joseph Martin, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public in and for  
The State of Texas  
My Commission Expires \_\_\_\_\_

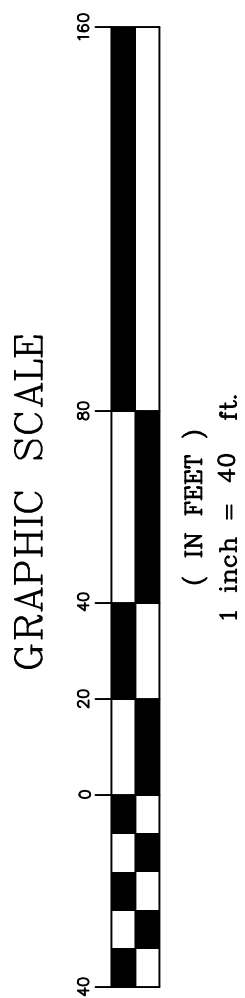
LEGAL DESCRIPTION:  
Being all of Lots 19 and 20, Block 9, Sylvan Beach First Subdivision, a subdivision ini Harris County, Texas, according the map or plat thereof, recorded in Volume 3, Page 72 of the map records of Harris County, Texas:



FLOOD STATEMENT:  
All land within this subdivision lies in a Flood Hazard Area. Such lands are subject to an increased chance of flooding and the City of La Porte places stricter requirements on development therein through the La Porte Flood Hazard Prevention Ordinance.

NOTES:

1. This plat was prepared with a title commitment from Great American Title Company dated 01/03/2014. (As to Lot 19A).
2. Not title commitment provided for Lot 19B, subject to any facts that would be disclosed by a full and accurate title report.



CURVE CI  
RADIUS = 25.00'  
LENGTH = 39.27'  
CHORD = 35.36'  
DELTA = 90° 00' 00"

LEGEND  
R.O.W. = RIGHT OF WAY  
I.R. = IRON ROD  
I.P. = IRON PIPE  
H.C.M.R. = HARRIS COUNTY MAP RECORDS

REPLAT  
OF LOTS 19 AND 20 BLOCK 9  
SYLVAN BEACH FIRST SUBDIVISION

A SUBDIVISION CONTAINING 0.283 ACRE TRACT,  
BEING ALL OF LOTS 19 AND 20, IN BLOCK 9, OF  
SYLVAN BEACH FIRST SUBDIVISION; A SUBDIVISION  
IN HARRIS COUNTY, TEXAS, ACCORDING TO THE  
MAP OR PLAT THEREOF, RECORDED IN VOLUME 3,  
PAGE 72 OF THE MAP RECORDS OF HARRIS  
COUNTY, TEXAS

REASON FOR REPLAT:  
TO RE-DIVIDE 2 LOTS

2 LOTS, 1 BLOCK

JANUARY, 2022

OWNERS:  
TOP QUALITY BUILDERS, LLC  
GREEN VALLEY CONSTRUCTION

SURVEYOR:  
SHANKS ENGINEERING &  
SURVEYING, INC.  
1446 PIRATES COVE  
HOUSTON, TX 77058  
281-488-1486

This is to certify that the City of La Porte, Texas has approved this plat and subdivision of REPLAT OF THE SOUTHWESTLY HALF OF LOTS 19 AND 20, BLOCK 9, SYLVAN BEACH FIRST SUBDIVISION in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat on \_\_\_\_\_ day of \_\_\_\_\_, 2022.

By: \_\_\_\_\_  
Chairman, Planning and Zoning Commission

By: \_\_\_\_\_  
Director, Planning and Development

City Planner

City Engineer

Billy L. Shanks  
Texas Registration No. 1821





## Planning and Development Department Staff Report Zone Change Request - #22-92000007

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### DISCUSSION

#### Location:

The subject site is located between S. Broadway St. to the west, K St. to the north, Park Dr. to the east, and Garfield Rd. to the south.

#### Legal Description:

Lots 7-12, Block 14; Lots 1-12, Block 15; Lots 1-16, Block 18; & Lots 1-14, Block 19, Sylvan Beach; Lots 1-6, Block 1, Sylvan Beach Replat; Lots 25-35, Block 1114; Lots 1-31 & 45-48, Block 1118; & Lots 1-43, Block 1161 Town of La Porte, Harris County, Texas

#### Background Information:

The property consists of roughly 20.8-acres of land and is currently developed with a mixture of single family homes. 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.

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Planned Unit Development (PUD)/High Density Residential (R-3)	Proposed duplex development/Churchill Place Apartments
<b>South</b>	High Density Residential (R-3)	Single Family/Motel
<b>West</b>	High Density Residential (R-3)	RV Park/City owned property/Churchill Place Apartments
<b>East</b>	Low Density Residential (R-1)	Single Family Residential

#### 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.* Low density single family residential zoning is an ideal fit for the property 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.

<b>Criterion:</b>	<b>Staff Findings:</b>
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the existing use.
Impact on the value and practicality of the surrounding land uses.	Proposed zone change would be consistent with other properties in the immediate area.
Conformance of a zoning request with the land use plan.	The proposed zone change is not in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	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 #22-92000007.



## **ATTACHMENTS**

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



# Area Map

Zone Change  
#22-92000007

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 = 226 feet

MARCH 2022  
PLANNING DEPARTMENT





# Zoning Map

Zone Change  
#22-92000007

R-3 to R-1

## Legend



Subject Tracts

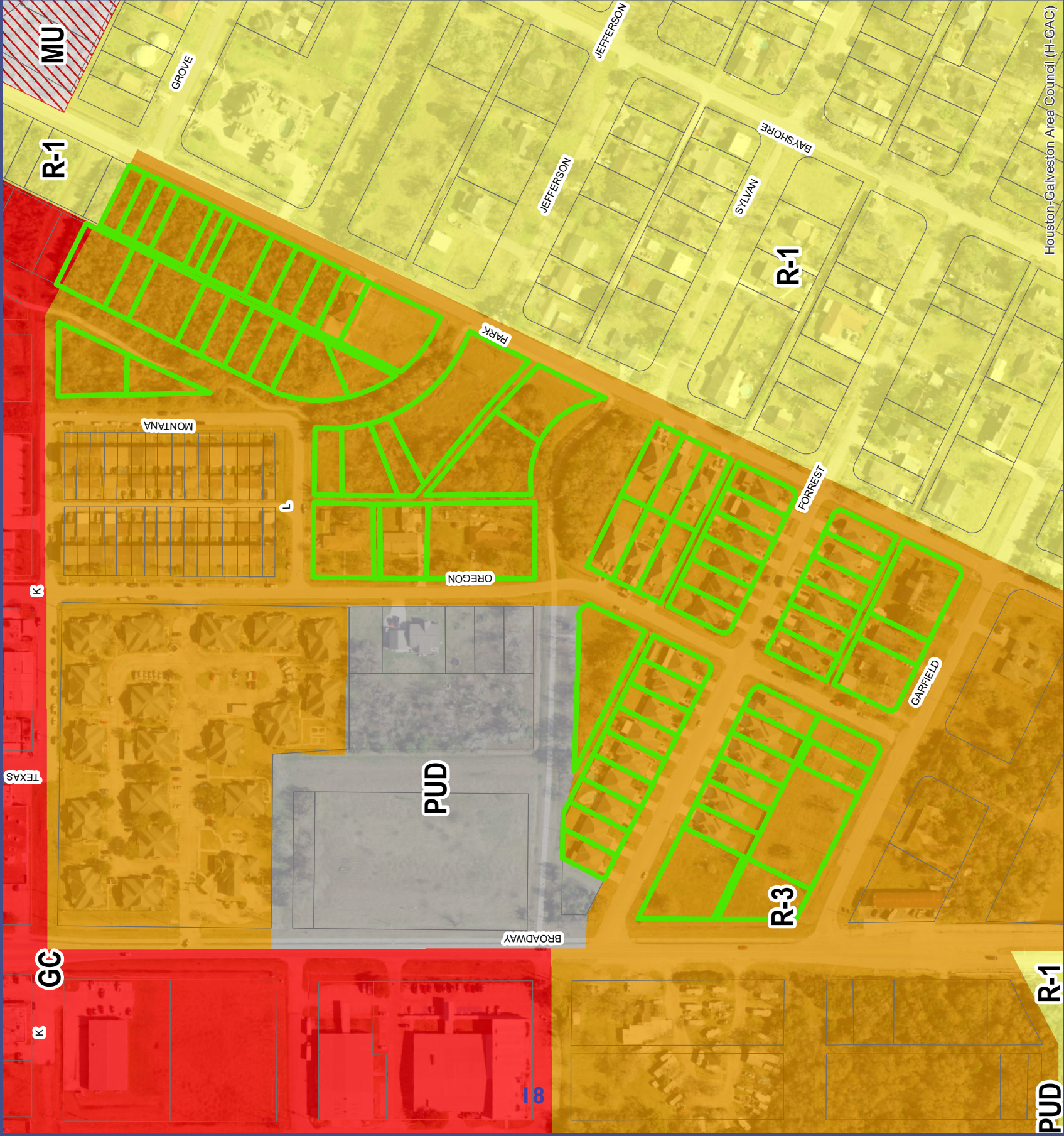


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MARCH 2022  
PLANNING DEPARTMENT





# FLUP Map

Zone Change  
#22-92000007

R-3 to R-1

## Legend



Subject Tracts

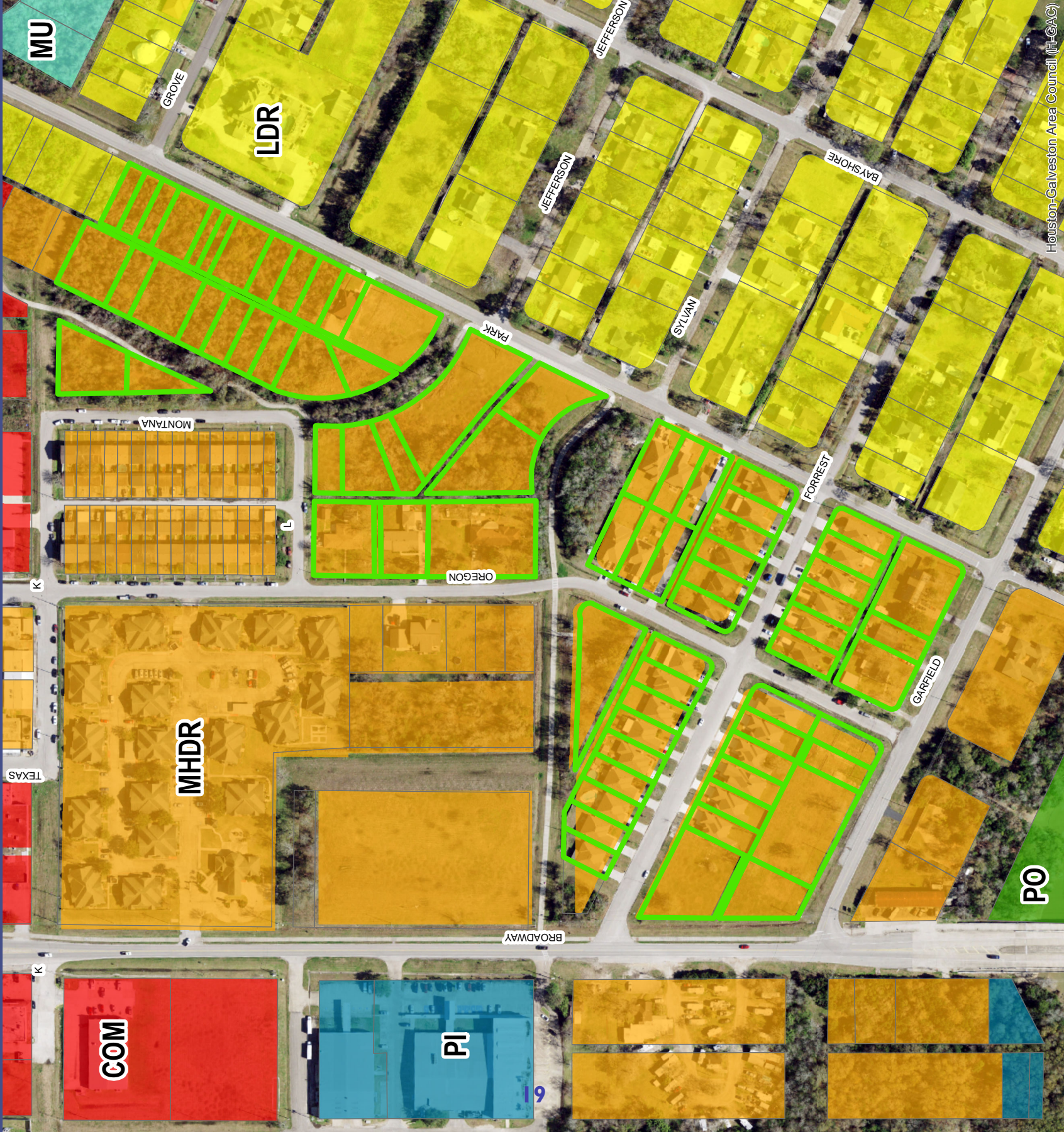


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1 inch = 226 feet

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## Planning and Development Department Staff Report FLUP Amendment - #22-92000007

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### DISCUSSION

#### Location:

The subject site is located between S. Broadway St. to the west, K St. to the north, Park Dr. to the east, and Garfield Rd. to the south.

#### Background Information:

Staff is presenting for consideration an amendment to the City's Future Land Use Plan in conjunction with a zone change request on a 20.8-acre tract of land from the High Density Residential (R-3) zoning district to the Low Density Residential (R-1) zoning district.

The City's Future Land Use Plan (FLUP) identifies this property as "Medium-High Density Residential". In order to accommodate the proposed zone change, the FLUP should be amended to allow for "Low Density Residential". The FLUP may be amended from time to time if approved by the City Council, upon recommendation by the Planning and Zoning Commission. The attached Exhibit A demonstrates the existing land use while Exhibit B shows the proposed future land use plan.

The Future Land Use Plan identifies the following surrounding land uses (see the attached Exhibit A):

	Zoning	Land Use
<b>North</b>	Planned Unit Development (PUD)/High Density Residential (R-3)	Proposed duplex development/Churchill Place Apartments
<b>South</b>	High Density Residential (R-3)	Single Family/Motel
<b>West</b>	High Density Residential (R-3)	RV Park/City owned property/Churchill Place Apartments
<b>East</b>	Low Density Residential (R-1)	Single Family Residential

Section 213.003 of the Texas Local Government Code (LGC) specifies requirements for amending the City's Future Land Use Plan, which was adopted as a component of the Comprehensive Plan. The LGC requires review of the proposed amendment by the Planning and Zoning Commission and consideration by the City Council. A public hearing will be scheduled at the time of City Council review.

### RECOMENDATION

Should the Planning and Zoning Commission recommend approval for Zone Change request #22-92000007, then the City's Future Land Use Plan should be amended as described in this item.

### ATTACHMENTS

Exhibit A: Current Future Land Use (FLUP) Map  
Exhibit B: Proposed Future Land Use (FLUP) Map



# Current FLUP

Zone Change  
#22-92000007

R-3 to R-1

## Legend



Subject Tracts

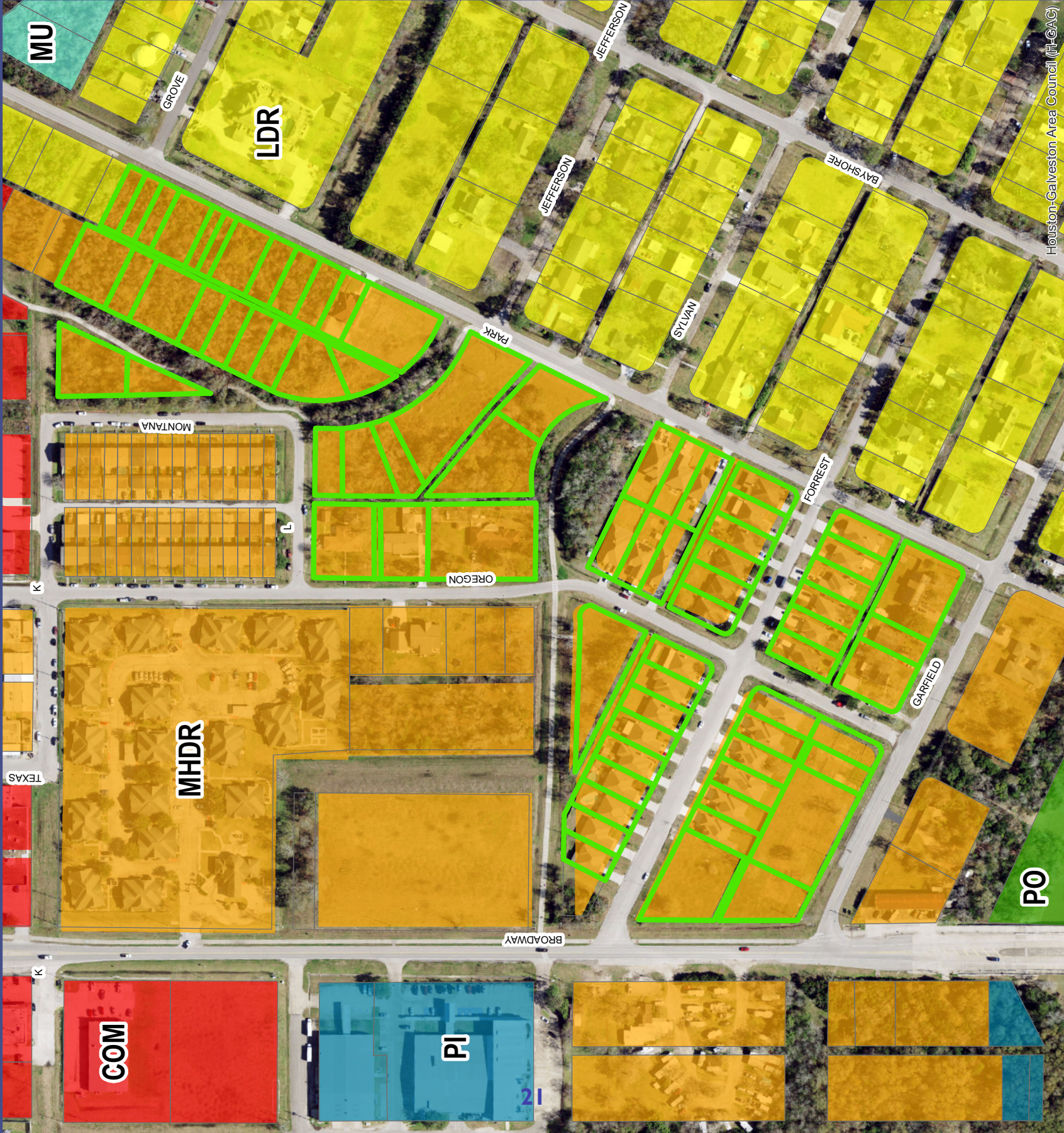


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MARCH 2022  
PLANNING DEPARTMENT





# Proposed FLUP

Zone Change  
#22-92000007

R-3 to R-1

## Legend



Subject Tracts



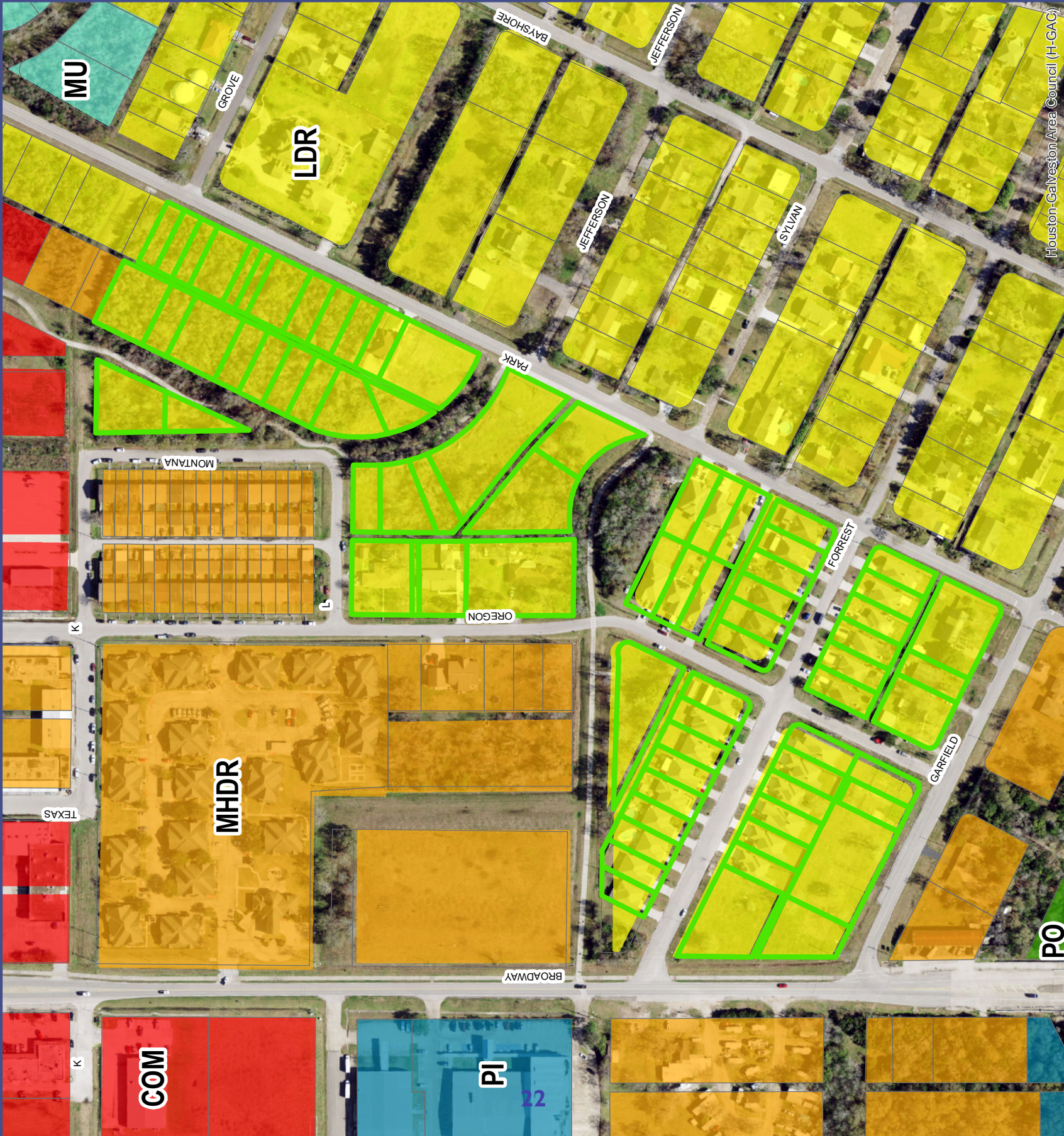
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MARCH 2022  
PLANNING DEPARTMENT

Houston-Galveston Area Council (H-GAC)







## Planning and Development Department Staff Report Zone Change Request - #22-92000008

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### DISCUSSION

#### Location:

The subject site is located between S. Broadway St. to the west, Garfield Rd. to the north, the bay to the east, and Crescent Shore Dr. to the south.

#### Legal Description:

Lots 1-6, Block 16; Lots 1-5, Block 17; & Tracts 18 & 19, Sylvan Beach; Lots 1-16, Block 1145; Tracts 32A, 33, 33A, 33B, 34, 44, 44A, 45, Lots 1-32 & Tracts A, B & C, Block 1255; & Tracts A & B & Lot 1, Block 1218, Town of La Porte; & Tracts 32,41,42 & 47, Abstract 35, J Hunter Survey, Harris County, Texas

#### Background Information:

The property consists of roughly 39.4-acres of land and is currently developed with a mixture of single family homes as well as some commercial uses along S. Broadway. 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
<b>North</b>	Low Density Residential (R-1)/High Density Residential (R-3)	Single Family Residential
<b>South</b>	Low Density Residential (R-1)	Single Family Residential
<b>West</b>	Low Density Residential (R-1)/Planned Unit Development (PUD)	Single Family/Commercial/Bay Forest Golf Course
<b>East</b>	N/A	Galveston Bay

#### 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.* Low density single family residential zoning is an ideal fit for the property 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.

<b>Criterion:</b>	<b>Staff Findings:</b>
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the existing use.
Impact on the value and practicality of the surrounding land uses.	Proposed zone change would be consistent with other properties in the immediate area.
Conformance of a zoning request with the land use plan.	The proposed zone change is partially in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	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 #22-92000008.



## **ATTACHMENTS**

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



# Area Map

Zone Change  
#22-92000008

R-3 to R-1

## Legend



Subject Tracts



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1 inch = 301 feet

MARCH 2022

PLANNING DEPARTMENT



Houston-Galveston Area Council (H-GAC)



# Zoning Map

Zone Change  
#22-92000008

R-3 to R-1

## Legend



Subject Tracts



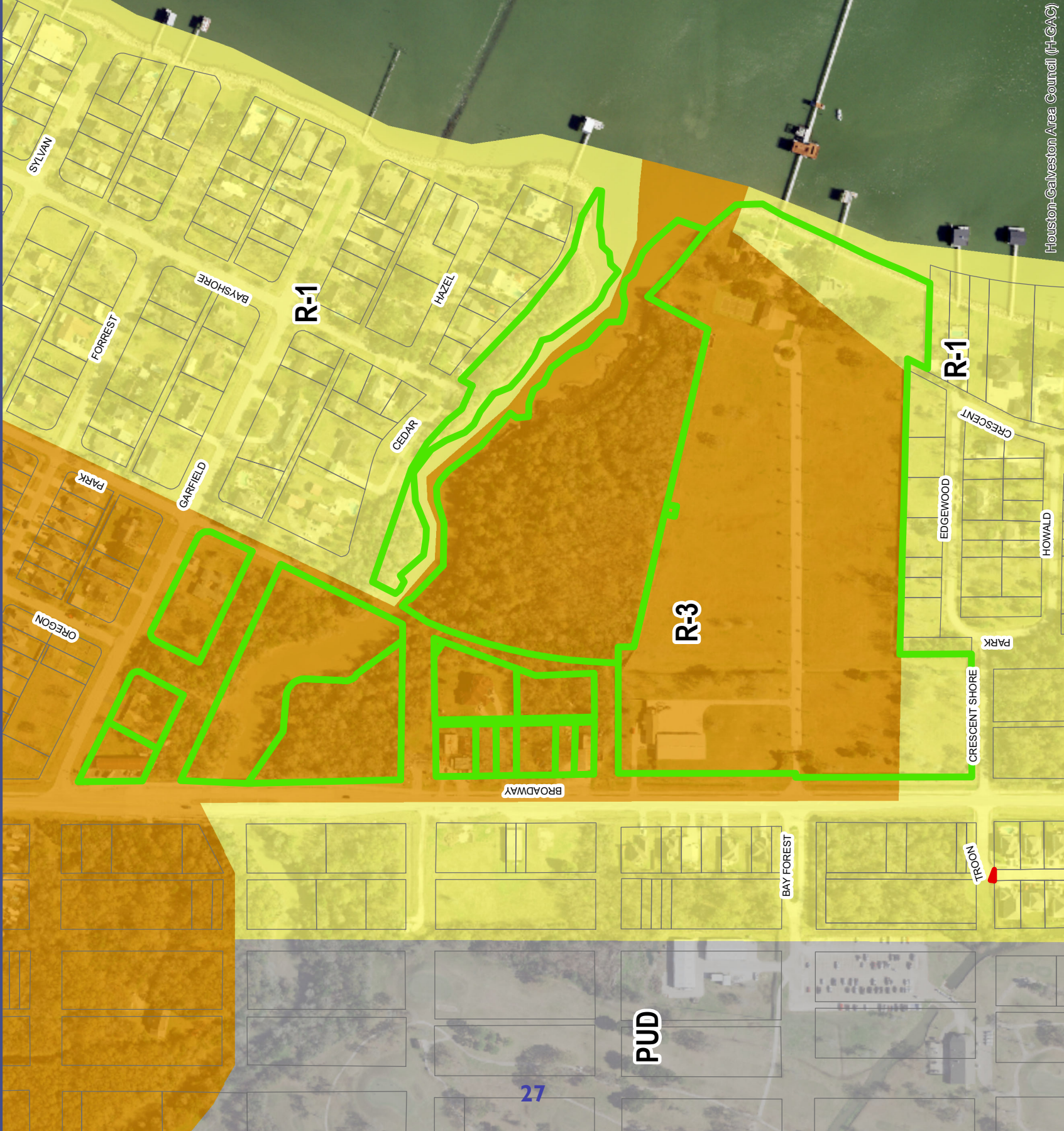
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MARCH 2022

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# FLUP Map

Zone Change  
#22-92000008

R-3 to R-1

## Legend



Subject Tracts



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1 inch = 301 feet

MARCH 2022  
PLANNING DEPARTMENT







## Planning and Development Department Staff Report FLUP Amendment - #22-92000008

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### DISCUSSION

#### Location:

The subject site is located at the 1700 block of S. Broadway St.

#### Background Information:

Staff is presenting for consideration an amendment to the City's Future Land Use Plan in conjunction with a zone change request on a 39.4-acre tract of land from the High Density Residential (R-3) zoning district to the Low Density Residential (R-1) zoning district. The portion of land identified for the proposed amendment consists of roughly 1.19-acres in total.

The City's Future Land Use Plan (FLUP) identifies the 1.19-acre tract referenced above as "General Commercial". In order to accommodate the proposed zone change, the FLUP should be amended to allow for "Low Density Residential". The FLUP may be amended from time to time if approved by the City Council, upon recommendation by the Planning and Zoning Commission. The attached Exhibit A demonstrates the existing land use while Exhibit B shows the proposed future land use plan.

The Future Land Use Plan identifies the following surrounding land uses (see the attached Exhibit A):

	Zoning	Land Use
<b>North</b>	High Density Residential (R-3)	Undeveloped
<b>South</b>	High Density Residential (R-3)	Single Family Residential
<b>West</b>	Low Density Residential (R-1)	Commercial
<b>East</b>	High Density Residential (R-3)	Single Family Residential

Section 213.003 of the Texas Local Government Code (LGC) specifies requirements for amending the City's Future Land Use Plan, which was adopted as a component of the Comprehensive Plan. The LGC requires review of the proposed amendment by the Planning and Zoning Commission and consideration by the City Council. A public hearing will be scheduled at the time of City Council review.

### RECOMENDATION

Should the Planning and Zoning Commission recommend approval for Zone Change request #22-92000008, then the City's Future Land Use Plan should be amended as described in this item.

### ATTACHMENTS

Exhibit A: Current Future Land Use (FLUP) Map  
Exhibit B: Proposed Future Land Use (FLUP) Map

# Current FLUP

Zone Change  
#22-92000008

R-3 to R-1

## Legend



Subject Tracts

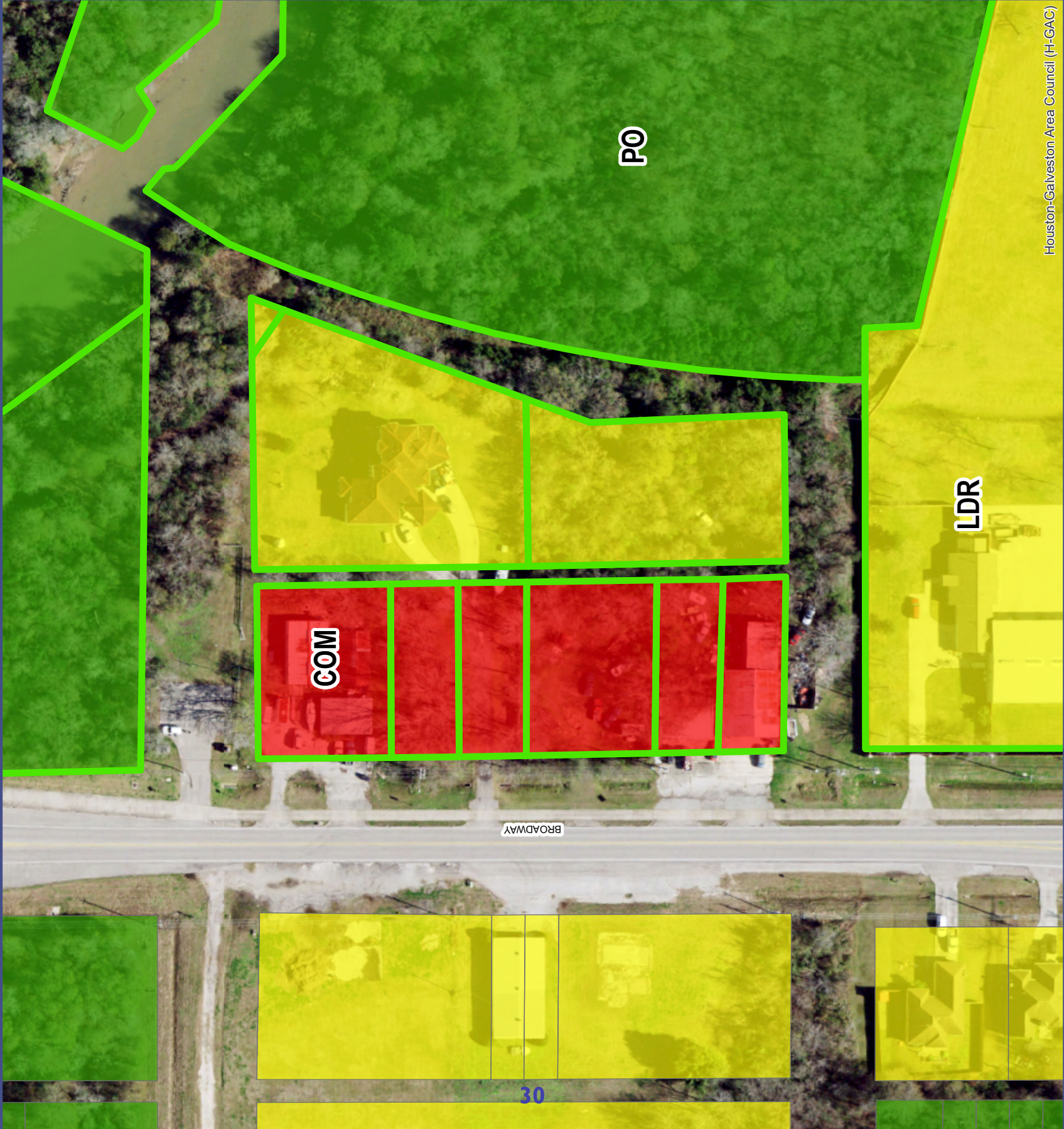


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1 inch = 90 feet

MARCH 2022  
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# Proposed FLUP

Zone Change  
#22-92000008

R-3 to R-1

## Legend



Subject Tracts



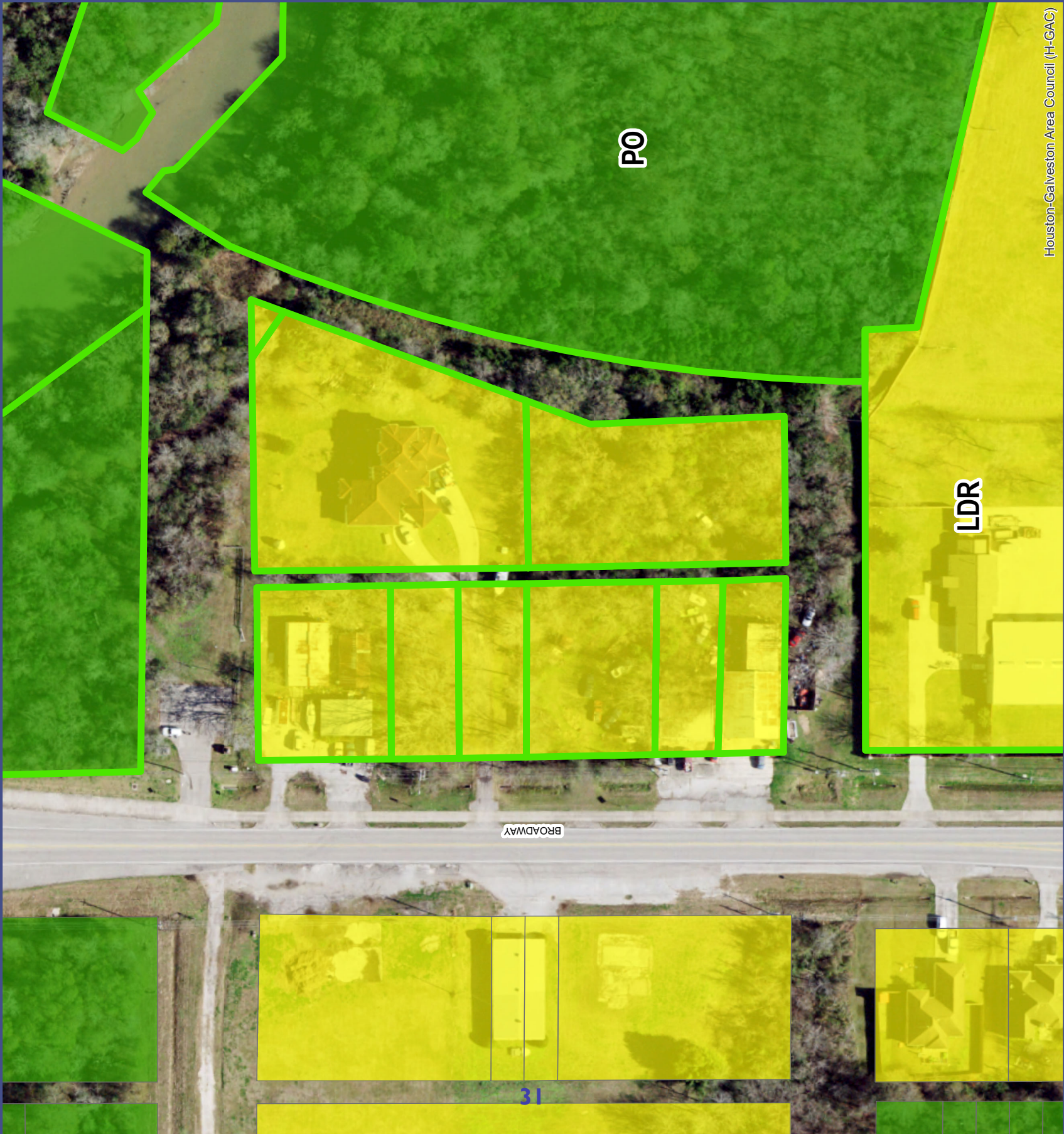
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MARCH 2022

PLANNING DEPARTMENT





## **Administrative Report**

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- a. Council Action Update.
- b. Next Regular Meeting – May 19, 2022



## COUNCIL ACTION

Application #	Request	Location	P&Z Meeting	P&Z Action	CC Meeting	CC
SCUP 22-91000001	2nd Dwell	9305 Carlow Ln.	01.20.2022	APPROVED	02.28.2022	APPROVED
ZC 22-92000001	R-2 to R-1	Group A	01.20.2022	APPROVED	02.28.2022	APPROVED
ZC 22-92000002	R-2 to R-1	Group C	01.20.2022	APPROVED	02.28.2022	APPROVED
ZC 22-92000003	R-2 to R-1	Group D	01.20.2022	APPROVED	02.28.2022	APPROVED