

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
NANCY OJEDA
Commissioner District 6

LA PORTE PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, MAY 19, 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/87692309529?pwd=Nm5tOTI1UG9uWU93QWYzTjJ4Z1VWUT09>
Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 876 9230 9529. The passcode is 241207.

1. **CALL TO ORDER**
2. **ROLL CALL OF MEMBERS**
3. **CONSIDER APPROVAL OF THE MEETING MINUTES:** Approve the minutes of the March 17, 2022 regular meeting of the Planning and Zoning Commission.
4. **PRELIMINARY PLAT #21-97000006:** Consider approval of a Preliminary Plat for Bay Creek Section 2, a single family residential development consisting of 22 lots on 4.505-acres, located on the north side of McCabe Road west of S. Broadway Street and legally described as Tract 1C, Abstract 30, WP Harris Survey.
5. **ZONE CHANGE REQUEST #22-92000009:** The Commission will hold a public hearing for Zone Change Request #22-92000009, pursuant to an application from Staci Trahan and Sidney Espinoza, Jr, applicants and owners, for approval of a zone change from Low Density Residential (R-1) to Residential Large Lot (LLD), on a 1.22-acre tract of land located at 11007 Houston Drive; legally described as Reserve A & A1, Block 12, Battleground Estates Section 2, Harris County, Texas.
 - a. Staff Presentation
 - b. Public Comments (Limited to 5 minutes per person)
 - c. Adjourn Hearing
6. **COMMISSION DISCUSSION AND POSSIBLE ACTION:** Zone Change Request #22-92000009.
7. **DISCUSSION ITEMS:**
 - a. Proposed Development at Wharton Weems and SH 146
 - b. Future Land Use Designation – 3900 Underwood Rd.
 - c. Chapter 106 Subcommittee - Update
 - d. Comprehensive Plan – Update

8. ADMINISTRATIVE REPORTS:

- a. Council Action Update
- b. Next Regular Meeting – June 16, 2022

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

10. 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 **May 19, 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. March 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 MARCH 17, 2022

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, March 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; Joe Mock; Mark Follis; Nolan Allen; and Lou Ann Martin.

Commissioners absent: Commissioners Donna O'Conner; Christina Tschappat; and James Walter.

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.

1. **CALL TO ORDER** –Chairman Lawler called the meeting to order at 6:01 PM.
2. **ROLL CALL OF MEMBERS:** – Commissioners O'Conner, Tschappat, and Walters were absent.
3. **CONSIDER APPROVAL OF THE MEETING MINUTES:**
 - a. Approve the minutes of the meeting held on February 17, 2022.
Commissioner Allen moved to approve the meeting minutes; the motion was adopted, 6-0.
4. **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.

The hearing was opened at 6:02 PM. City Planner Ian Clowes presented the replat and explained the reasoning behind the request.

Georgia Malone, 100 N. Forest Ave, had questions regarding the details of the replat.
5. **ADJOURN PUBLIC HEARING:** 6:15 PM

Commissioner Follis moved to approve the replat; the motion was adopted, 6-0.
6. **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.

The hearing was opened at 6:18 PM. City Planner Ian Clowes presented the request and provided background information.

Glenn Mace, 1216 Montana St, had questions regarding how this zone change would impact his property.

7. ADJOURN PUBLIC HEARING: 6:27 PM.

Commissioner Allen moved to recommend approval of Zone Change Request #22-92000007 as presented; the motion was adopted, 6-0.

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 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".

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

Commissioner Allen moved to recommend approval of Future Land Use Amendment as presented; the motion was adopted, 6-0.

9. 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 1-32, Block 1445; 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.

The hearing was opened at 6:30 PM. City Planner Ian Clowes presented the request and provided background information.

10. ADJOURN PUBLIC HEARING: 6:36 PM.

Commissioner Allen moved to recommend approval of Zone Change Request #22-92000007 as presented; the motion was adopted, 6-0.

11. FUTURE LAND USE MAP AMENDMENT: he 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 1-16, Block 1445, Town of La Porte, Harris County, Texas, from "Commercial" to "Low Density Residential".

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

Commissioner Mock moved to recommend approval of Future Land Use Amendment as presented; the motion was adopted, 6-0.

12. ADMINISTRATIVE REPORT:

a. Council Action Update.

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

b. Next Regular Meeting – May 19, 2022 (No April meeting)

ADJOURN: Commissioner Warren made the motion to adjourn at 6:47 PM; the motion was adopted 6-0.

Hal Lawler, Planning and Zoning Commission Chairman

Ian Clowes, City Planner



Planning and Development Department Staff Report Preliminary Plat - #21-97000006

DISCUSSION

Applicant's Request:

This is a request for approval of a Preliminary Plat of Bay Creek Section 2, a plat consisting of 22 patio home/zero lot line residential lots, located on the north side of McCabe Rd. west of S. Broadway.

Background Information:

The site is zoned High Density Residential (R-3). The 4.505 acre tract of land is being platted to create a 22 lot residential subdivision. Each lot will be an average of 4,500 square feet. The development will also include roughly 37,500 square feet of detention/open space.

The table below indicates the surrounding zoning and land uses:

	Zoning	Land Use
<i>North</i>	Manufactured Housing (MH)	Forest Vista Mobile Home Park
<i>South</i>	Planned Unit Development (PUD)	Undeveloped
<i>West</i>	Manufactured Housing (MH)	Forest Vista Mobile Home Park
<i>East</i>	High Density Residential (R-3)	Undeveloped

RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the preliminary plat of Bay Creek Section 2.

ATTACHMENTS

- Area Map
- Bay Creek Section 2 Preliminary Plat

Area Map

Prelim. Plat
#21-97000006

Bay Creek
Section 2

Legend



Subject Tract



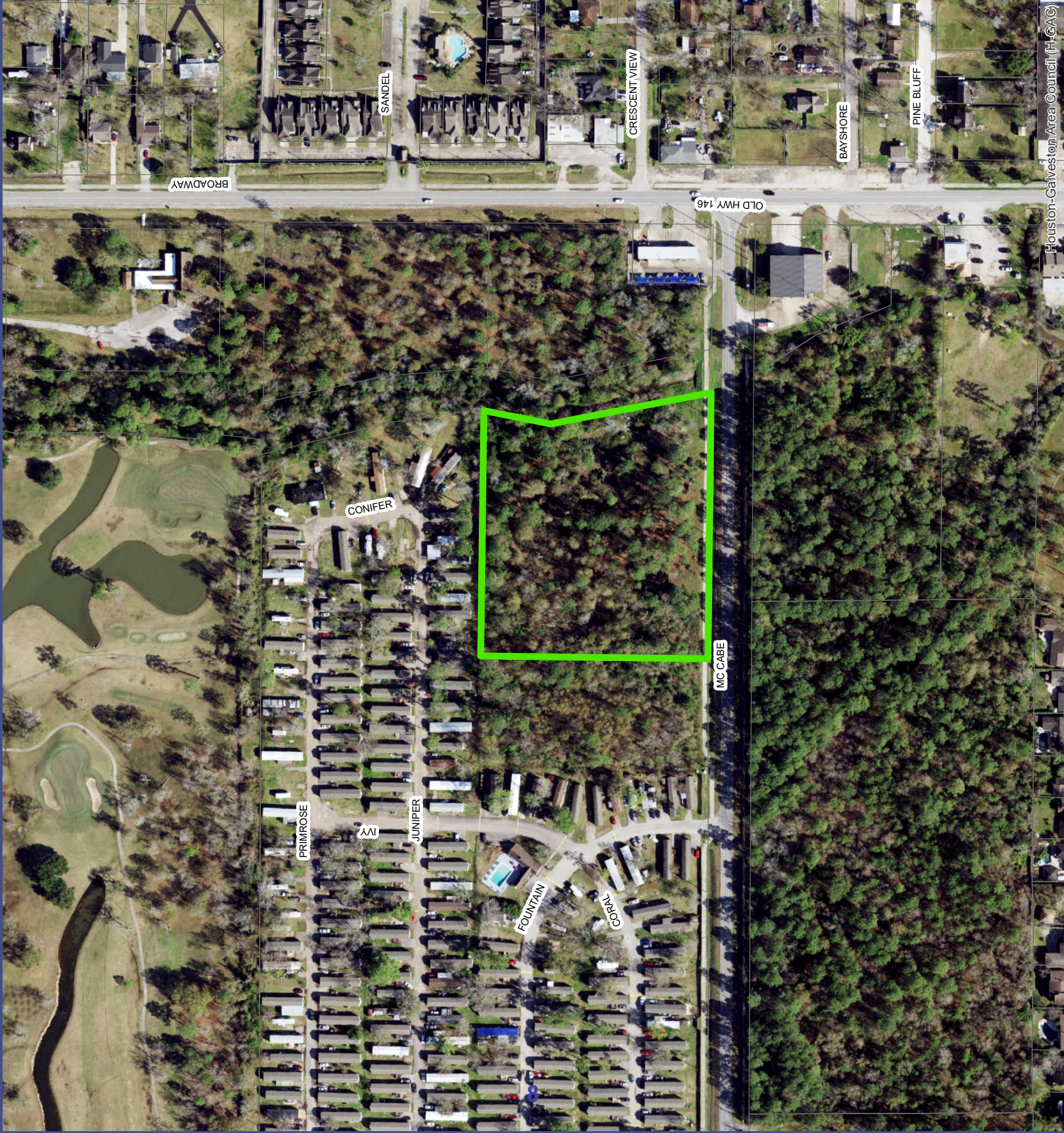
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1 inch = 226 feet

MAY 2022

PLANNING DEPARTMENT





Planning and Development Department Staff Report Zone Change Request - #22-92000009

DISCUSSION

Location:

The subject site is located at 11007 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 1.22- 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	Large Lot Residential (LLD)	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 already 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 character of adjoining properties. Property to the west was rezoned to LLD in the last three (3) months.
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 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.

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change request #22-92000009.

ATTACHMENTS

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

Area Map

Zone Change
#22-92000009

11007 Houston Dr.

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 = 90 feet

MAY 2022

PLANNING DEPARTMENT



Zoning Map

Zone Change
#22-92000009

11007 Houston Dr.

Legend



Subject Tract



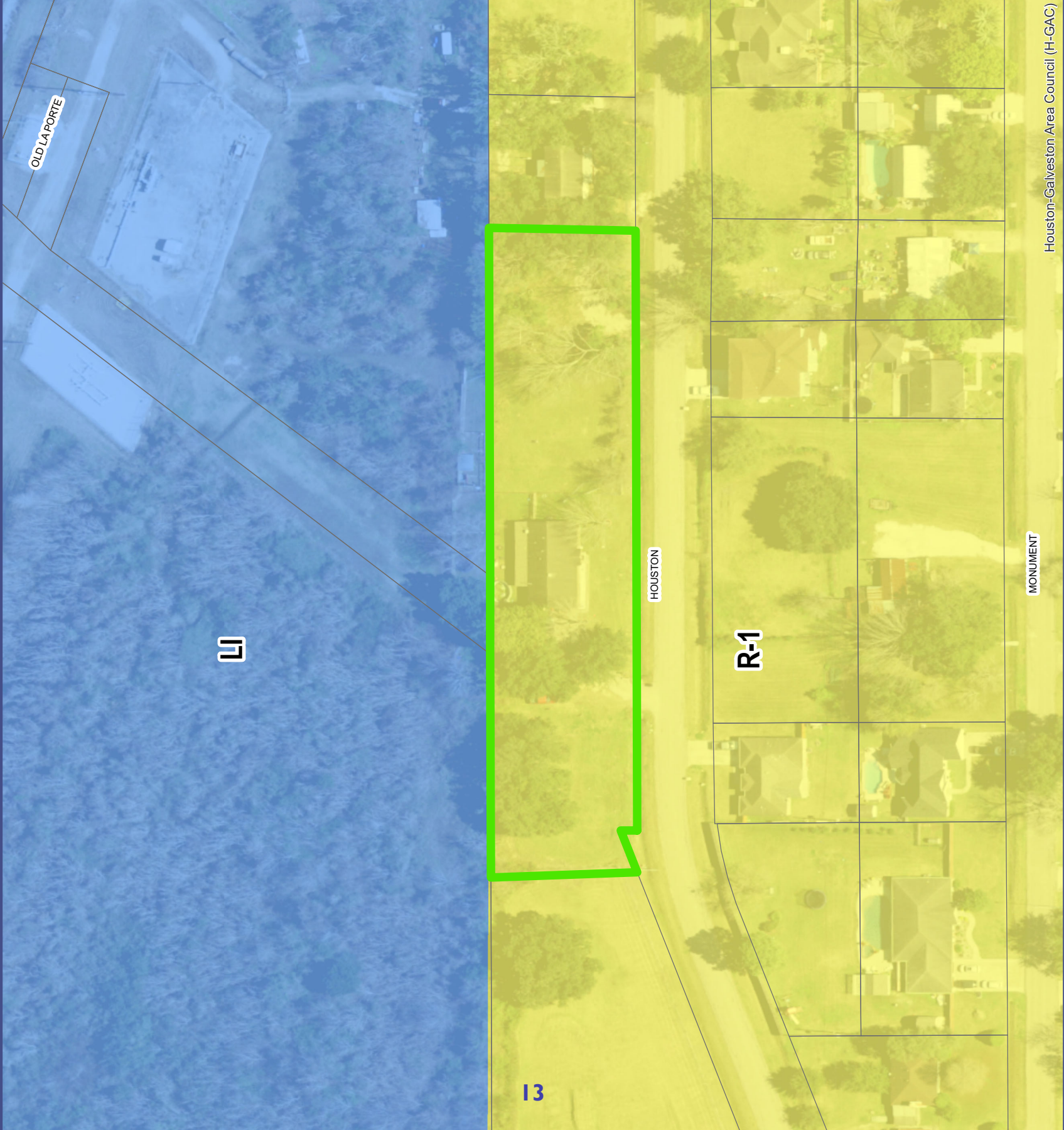
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MAY 2022

PLANNING DEPARTMENT



FLUP Map

Zone Change
#22-92000009

11007 Houston Dr.

Legend



Subject Tract



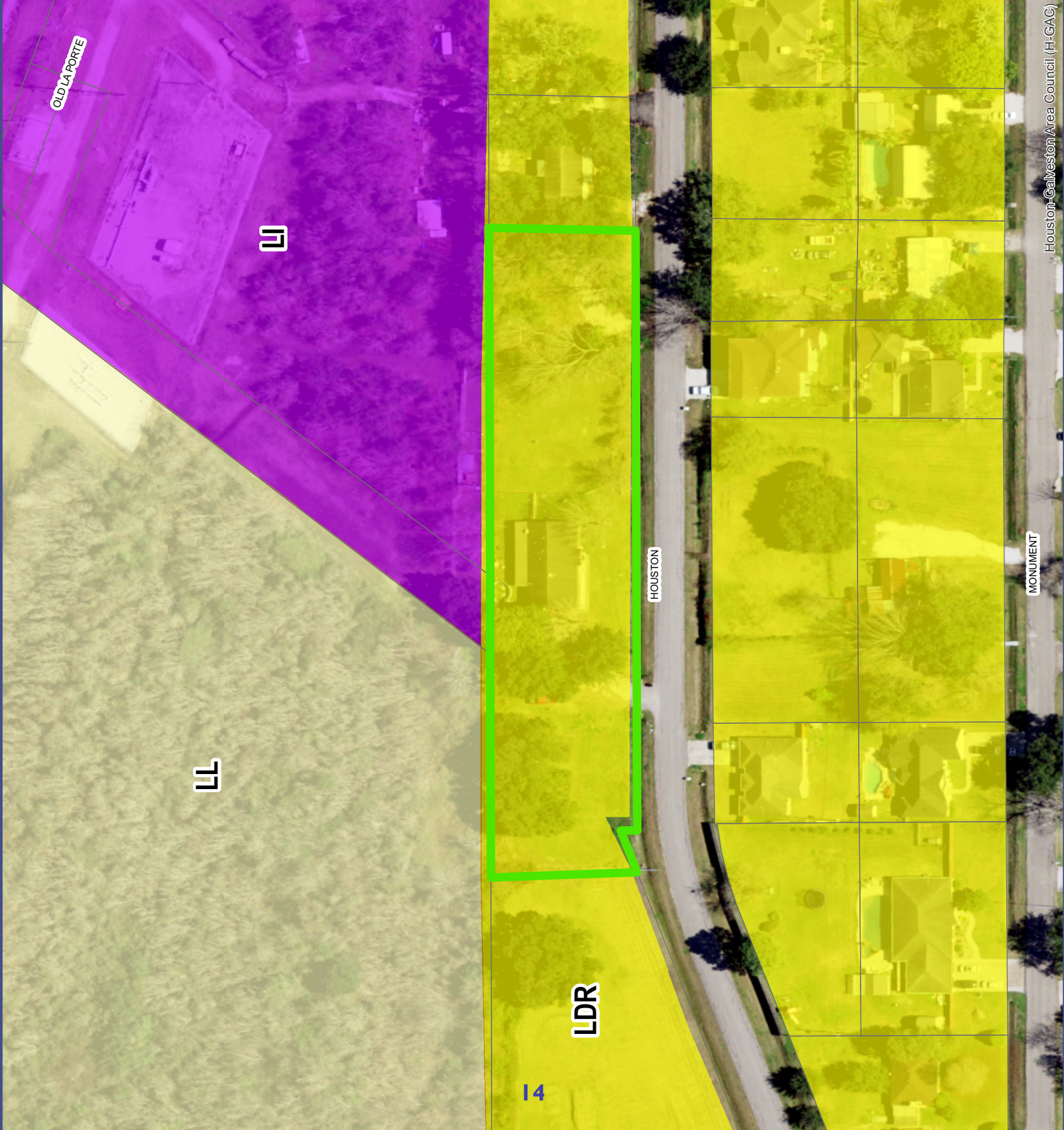
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MAY 2022

PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

OVERVIEW

Zoning protects the rights of property owners while promoting the general welfare of the community. The purpose of zoning is to locate particular land uses where they are most appropriate. A property owner may submit an application requesting consideration of a zone change or modification to the zone district that their property is located. Requests for a rezoning are reviewed in accordance with the provisions of Section 106-171 of the City of La Porte Code of Ordinances and the city's Comprehensive Plan. Rezoning requests are reviewed by the Planning and Zoning Commission as a public hearing. The Commission consists of residents of the community appointed by City Council. The Commission meets on the third Thursday of every month, as necessary. The Commission will forward a recommendation to the City Council for final consideration.

SUBMITTAL REQUIREMENTS

The following application package must be submitted to the Planning and Development Department at least three (3) weeks prior to the desired hearing date.

- ☒ Completed **application form**.
- ☒ **Application fee** of \$400; nonrefundable.
- ☒ **Site plan, conceptual site plan or general plan**, drawn to scale and dimensioned to depict the development being proposed.
- ☒ **Project description/justification letter** that thoroughly explains what is being requested and why such SCUP should be approved by the Planning and Zoning Commission and City Council.
- ☒ **Affidavit of posting** fully executed that ensures the applicant will post the required public hearing sign on the property for at least 10 days prior to the Planning and Zoning Commission meeting date. Such sign will be provided by the Planning and Development Department.

PROCESS

- Upon receipt of a complete application package by the Planning and Development Department, the zone change request will be scheduled for the next available Planning and Zoning Commission meeting date as a public hearing.
- The Planning and Development Department will provide the applicant with a Notice of Public Hearing sign that must be posted on the property where the zone change is being requested. The sign must be posted on the property visible and within 20 feet from the abutting street for a minimum of 10 days before the scheduled public hearing.
- The Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and at City Hall in conformance with legal requirements. Additionally, the city will send notice of the public hearing to all property owners within 200 feet of the subject property where the zone change is being requested.



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 11007 HOUSTON DR LA PORTE TX 77571

Legal description where zone change is being requested: LTS 21 THRU 26 BLK 2 & RES B BLK 12

HCAD Parcel Number where zone change is being requested: 0800130000023

Zoning District: CITY OF LA PORTE

Lot area: _____

A request for approval of a zone change is hereby made to the City of La Porte.

Description of Request: REZONE TO LARGE LOT RESIDENTIAL IN ORDER TO BUILD AN ACCESSORY BUILDING BIGGER THAN 1000 SQ FT

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: STACI TRAHAN AND SIDNEY ESPINOZA JR

Company (if applicable): _____

Address: 11007 HOUSTON DR

City: LA PORTE

State: TX

Zip: 77571

Phone: 713-299-1882

Email: STRAHAN85@GMAIL.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(s):  _____

Date: 2/25/22

STAFF USE ONLY:

Case Number:

22-92000009

Date Application Received:

03.18.2022



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: 11007 HOUSTON DR LA PORTE TX 77571

LEGAL DESCRIPTION: LTS 21 THRU 26 BLK 2 & RES B BLK 12

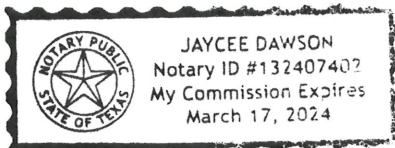
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: _____.
3. Said sign shall 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

Staci Trahan
Applicant's Printed Name

Subscribed and sworn before me this 1st day of March, 2022, by

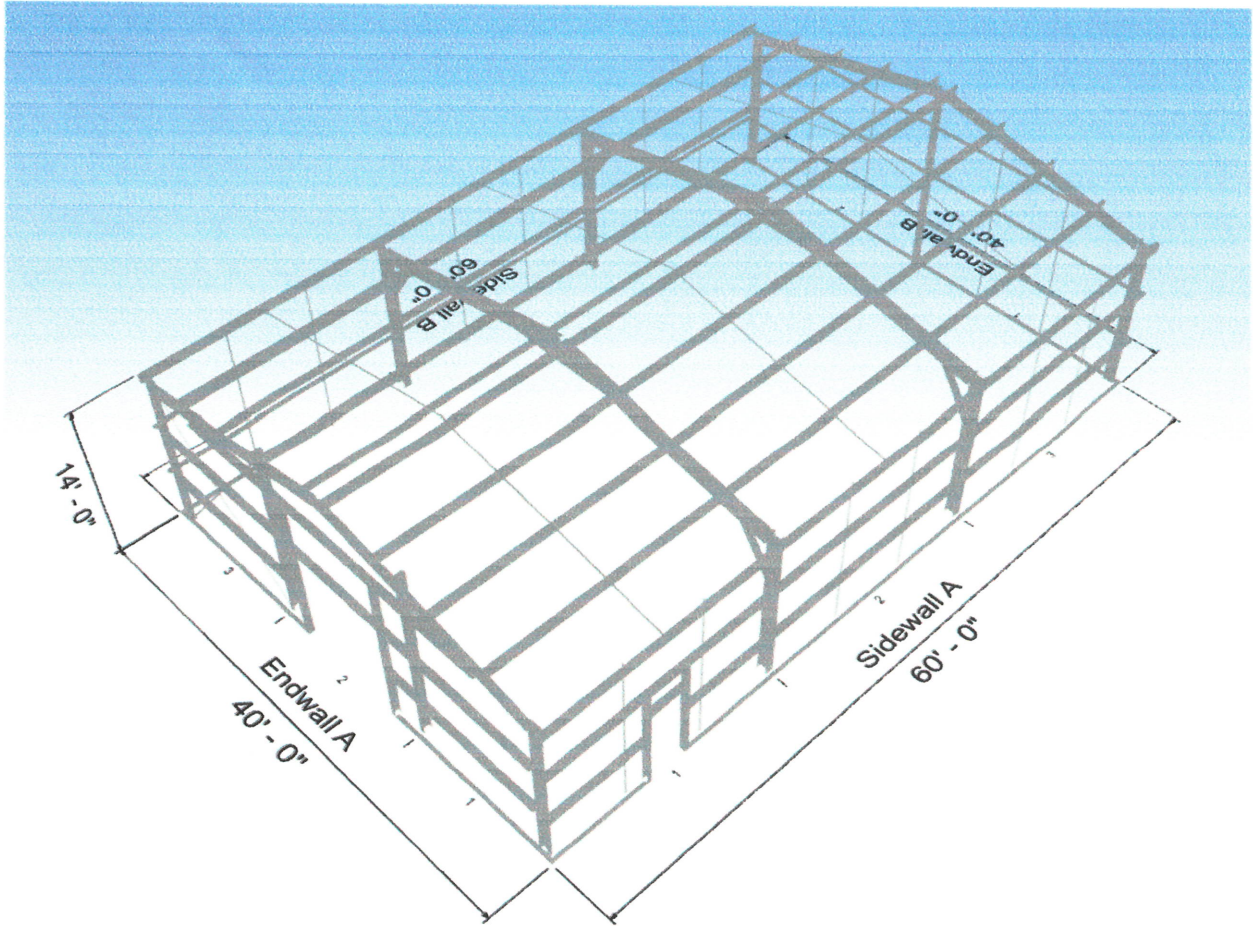
Staci Trahan (Print Applicant's Name).



(Seal)

Jaycee Dawson
Notary Public

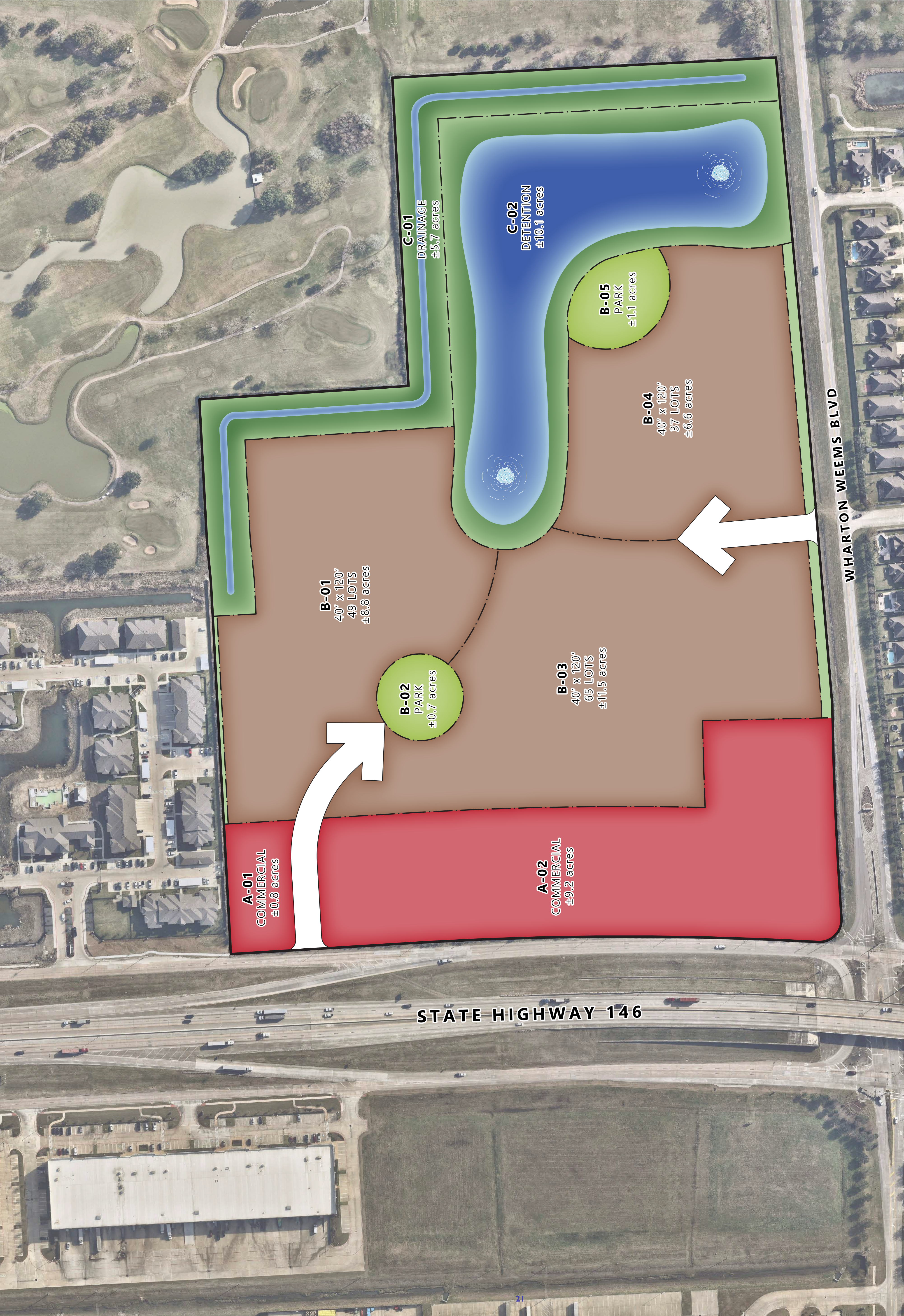
My commission expires: March 17th 2024





Discussion Item

- a. Proposed Development at Wharton Weems and SH 146
- b. Future Land Use Designation – 3900 Underwood Rd.
- c. Chapter 106 Update – Subcommittee
- d. Comprehensive Plan – Staff update



Land Use Analysis

CONSTRAINTS		±17.3 Ac.
Roadways		±1.5 Ac.
Lakes/Detention		±10.1 Ac.
Drainage		±5.7 Ac.
COMMUNITY ELEMENTS		±2.3 Ac.
Parks		±1.8 Ac.
Open Space		±0.5 Ac.
COMMERCIAL		±10.0 Ac.
Commercial		±10.0 Ac.
RESIDENTIAL		±26.9 Ac.
Single Family Residential		±26.9 Ac.

TOTAL ±56.5 Ac.

Single Family Residential Yield

40' x 120'	151 Lots	±26.9 Ac.	100.0%
TOTAL	151 Lots	±26.9 Ac.	100.0%

Park Land Dedication Requirements

±1 acre per every 93 lots
Required: ±1.7 Ac.
Provided: ±1.8 Ac. (Parks and Rec. Center)

Total Park Dedication Acreage ±1.8 Ac.

Compensating Open Space Requirements

Required: ±1.0 Ac.
Provided: ±1.0 Ac.

Total COS Acreage ±1.0 Ac.

*Portion of the amenitized detention to count toward COS.

OPTION A-1

Prepared For:
CENTURY
COMMUNITIES

Reference Date: 05.11.2022

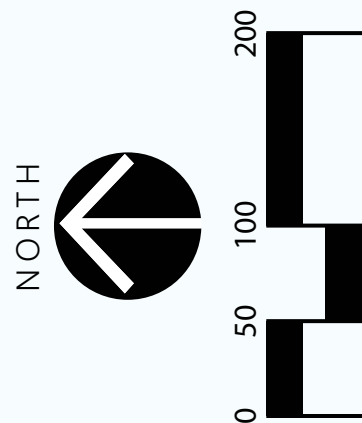


3600 W. Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200

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This exhibit is an illustrative representation for presentation purposes only and is not intended for preparation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, are made by LJA Engineering, Inc. as to the accuracy and character of the facilities shown on this exhibit are intended.

Concept Study for
±57 AC. LA PORTE TRACT
±56.5 Acres of Land
La Porte, TX
Project #: 2457-18002





Administrative Report

- a. Council Action Update
- b. Next Regular Meeting – June 16, 2022



COUNCIL ACTION

Application #	Request	Location	P&Z Meeting	P&Z Action	CC Meeting	CC Action
SCUP 22-91000002	Merch Wholesaler	Fairmont	02.18.2022	APPROVED	03.28.2022	APPROVED
ZC 22-92000004	R-2 / R-1 to PUD	Group E	02.18.2022	APPROVED	03.28.2022	WITHDRAWN
ZC 22-92000005	R-1 to LLD	10807 Houston Dr.	02.18.2022	APPROVED	03.28.2022	APPROVED
ZC 22-92000006	R-3 to R-1	Group F	02.18.2022	APPROVED	03.28.2022	APPROVED
106 Amendment	HFTR	W. D and W. M	02.18.2022	APPROVED	03.28.2022	DENIED
ZC 22-92000007	R-3 to R-1	Group G	03.18.2022	APPROVED	04.25.2022	APPROVED
FLUP 22-92000007	MHDR to LDR	Group G	03.18.2022	APPROVED	04.25.2022	APPROVED
ZC 22-92000008	R-3 to R-1	Group H	03.18.2022	APPROVED	04.25.2022	DENIED
FLUP 22-92000008	COM to LDR	Group H	03.18.2022	APPROVED	04.25.2022	DENIED