

**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, JULY 21, 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/83547179107?pwd=RDFlaUtFTDd1bjNGclZjRnNsejNYdz09>  
Join by phone at 877-853-5257 or 888-475-4499.

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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 June 16, 2022 regular meeting of the Planning and Zoning Commission.
- 4. ZONE CHANGE REQUEST #22-92000011:** The Commission will hold a public hearing for Zone Change Request #22-92000011, pursuant to an application from Breen Road Industrial Park, LLC, applicant, and Max Curtner of APTIM Facilities, Inc. owner, for approval of a zone change from Large Lot Residential (LLD) and General Commercial (GC) to Planned Unit Development (PUD), on a 21.29-acre tract of land located at 1241 Underwood Road, legally described as Lots 367, 368, 369 & 370, La Porte Outlots, Harris County, Texas.
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (limited to 5 minutes per person)
  - d. Adjourn Hearing
- 5. COMMISSION DISCUSSION AND POSSIBLE ACTION:** Zone Change Request #22-92000011
- 6. SCUP REQUEST #22-91000004:** The Commission will hold a public hearing for SCUP Request #22-91000004, pursuant to an application from Breen Road Industrial Park, LLC, applicant, and Max Curtner of APTIM Facilities, Inc. owner, for approval of a SCUP to allow for a 280,000 square foot warehouse facility in the Planned Unit Development (PUD) zoning district, on a 21.29-acre tract of land located at 1241 Underwood Road, legally described as Lots 367, 368, 369 & 370, La Porte Outlots, 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:** SCUP Request #22-91000004

**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 21.29-acre tract of land located at 1241 Underwood Road, from “Large Lot” to “Light Industrial”.

**9. SCUP REQUEST #22-91000005:** The Commission will hold a public hearing for SCUP Request #22-91000005, pursuant to an application from Jaison Bechar, applicant, and Satish Bechar, owner, for approval of a SCUP to allow for a Motel Development in the General Commercial (GC) zoning district, on a 0.877- acre tract of land located at 914 S. Hwy 146, legally described as Reserve A, Block 1, Kishan at La Porte, Harris County, Texas.

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Comments (limited to 5 minutes per person)
- d. Adjourn Hearing

**10. COMMISSION DISCUSSION AND POSSIBLE ACTION:** SCUP Request #22-91000005

**11. ADMINISTRATIVE REPORTS:**

- a. Comprehensive Plan Update
- b. Next Regular Meeting – August 18, 2022

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

**13. 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 **July 21, 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 at LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

\_\_\_\_\_ Title: \_\_\_\_\_

DATE OF POSTING \_\_\_\_\_

TIME OF POSTING \_\_\_\_\_

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



**Planning and Zoning Commission  
July 21, 2022 – Meeting Minutes**

**Approval of Meeting Minutes**

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a. June 16, 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  
**NANCY OJEDA**  
Commissioner District

## **MINUTES OF THE REGULAR MEETING OF THE LA PORTE PLANNING AND ZONING COMMISSION JUNE 16, 2022**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, June 16, 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 Joe Mock, Lou Ann Martin, Mark Follis, Donna O'Conner, James Walter, Richard Warren, and Nolan Allen.

**Commissioners absent:** Commissioner Nancy Ojeda.

**City Staff present:** Ian Clowes, City Planner; Teresa Evans, Planning and Development Director; Clark Askins, Assistant City Attorney; Matt Daeumer, Assistant City Manager.

1. **CALL TO ORDER** –Chairman Lawler called the meeting to order at 6:00 PM.

2. **ROLL CALL OF MEMBERS:** – Commissioner Ojeda was absent.

3. **CONSIDER APPROVAL OF THE MEETING MINUTES:**

a. Approve the minutes of the meeting held on May 19, 2022.

Commissioner Warren moved to approve the meeting minutes; the motion was adopted, 6-0; Commissioner Follis abstained. Commissioner Walters arrived at 6:02, after the vote was taken.

4. **FINAL PLAT #22-97000001:** Consider approval of a Final Plat for Hawthorne at Fairmont, a commercial tract consisting of one lot on 12.61 acres located at the northwest corner of Canada Rd. and Fairmont Pkwy. and legally described as a portion of Outlots 710 and 711, La Porte Outlots, Vol. 83 Pg. 344, H.C.D.R., situated in the Enoch Brinson League, Abstract No. 5, City of La Porte, Harris County, Texas.

City Planner Ian Clowes presented the Plat and explained the reasoning behind the request.

Commissioner Allen moved to approve the plat; the motion was adopted, 8-0.

5. **MAJOR DEVELOPMENT SITE PLAN #21-83000001:** Consider approval of the major development site plan #21-83000001, Hawthorne at Fairmont, a 12.61-acre commercial development located at the northwest corner of Canada Rd. and Fairmont Pkwy.

City Planner Ian Clowes presented the site plant and explained the reasoning behind the request.

Commissioner Warren moved to approve the plat; the motion was adopted, 8-0.

6. **ZONE CHANGE REQUEST #22-92000010:** The Commission will hold a public hearing for Zone Change Request #22-92000010, pursuant to an application from Jennifer Curtis, on behalf of Shannon Wiespape, applicant, and the Dutko Family Partnership Ltd, owner, for approval of a zone change from Low Density Residential (R-1) to Planned Unit Development (PUD), on a 76.2-acre tract of land located at the southeast corner of McCabe Road and State Highway 146, and legally described as portions of Tracts 5F, 5F-1, 8, 8A, 9B, 49 & 49A, Abstract 30, W P Harris Survey, Harris County, Texas.



The hearing was opened at 6:20 PM. City Planner Ian Clowes presented the request and provided background information.

**7. ADJOURN PUBLIC HEARING: 6:35 PM.**

Commissioner O'Conner moved to recommend approval of Zone Change Request #22-92000010 as presented; the motion was adopted, 8-0.

Applicant Jeff Anderson of Beazer Homes made a brief presentation.

James Livingston (815 Hackberry St.) spoke in opposition to the proposal.

Virginia Pierson-Turner (231 Bayside Dr.) spoke in opposition to the proposal.

Lisa Wright (822 Hackberry St.) spoke in opposition to the proposal.

**8. SCUP REQUEST #22-91000003:** The Commission will hold a public hearing for SCUP Request #22-91000003, pursuant to an application from Jennifer Curtis, on behalf of Shannon Wiespape, applicant, and the Dutko Family Partnership Ltd, owner, for approval of a SCUP to allow for a Single Family Residential development in the Planned Unit Development (PUD) zoning district, on a 107.2- acre tract of land located at the southeast corner of McCabe Road and State Highway 146, and legally described as Tracts 5F, 5F-1, 8, 8A, 9B, 10, 11, 49 & 49A, Abstract 30, W P Harris Survey, Harris County, Texas.

The hearing was opened at 6:40 PM. City Planner Ian Clowes presented the request and provided background information.

David Williams (1108 N. Country Club Dr. Shoreacres, TX) spoke in opposition to the proposal

Virginia Pierson-Turner (231 Bayside Dr.) spoke in opposition to the proposal.

Lisa Wright (822 Hackberry St.) spoke in opposition to the proposal.

Dewey Walls (1006 Hollow Tree Ln.) spoke in opposition to the proposal.

John Sheffield (1035 Oak Leaf St.) spoke in opposition to the proposal.

Boyd Noble (1100 N. Country Club Dr. Shoreacres, TX) spoke in opposition to the proposal.

Nathaniel Bennett (3422 Bayou Forest Dr. Shoreacres, TX) spoke in opposition to the proposal.

**9. ADJOURN PUBLIC HEARING: 7:33 PM.**

Commissioner O'Conner moved to table SCUP Request #22-91000003 as presented; the motion was adopted, 8-0 and the item was tabled.

**10. 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 1.43-acre tract of land located at the southeast corner of McCabe Rd. and SH 146, from "Commercial" to "Low Density Residential".

City Planner Ian Clowes presented the FLUP Amendment and explained the reasoning behind the request.

Commissioner Mock moved to table the amendment; the motion was adopted, 8-0 and the item was tabled.

**11. DISCUSSION ITEMS:**

- a. Street and Alley Closure Requests:

Staff presented two pending street and alley closure applications to garner input from the commission.

- b. Future Land Use Designation – 3900 Underwood Rd:

This item was a request by Commissioner Follis. The commission discussed the original proposal that was recommended for approval and decided to withdraw the FLUP amendment along with the zone change request.

## **12. ADMINISTRATIVE REPORT:**

- a. Next Regular Meeting – July 21, 2022

**ADJOURN:** Commissioner Allen made the motion to adjourn at 8:30 PM; the motion was adopted 8-0.

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Hal Lawler, Planning and Zoning Commission Chairman

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Ian Clowes, City Planner



## Planning and Development Department Staff Report Zone Change Request - #22-92000011

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### DISCUSSION

Location:

The subject site is located at 1241 Underwood Rd.

Zoning:

Large Lot Residential (LLD) and General Commercial (GC)

Background Information:

The property is currently developed with a number of office and industrial buildings. The applicant would like to clear the site and develop a large warehouse facility. In order to allow the proposed use, the applicant is seeking a zone change from General Commercial (GC) and Large Lot Residential (LLD) to Planned Unit Development (PUD). They will also be seeking approval of a Special Conditional Use Permit (SCUP) that would grant approval of the proposed use.

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>	General Commercial (GC)/Large Lot Residential (LLD)	Undeveloped
<b>East</b>	Large Lot Residential (LLD)	Residential
<b>South</b>	General Commercial (GC)/Large Lot Residential (LLD)	Residential
<b>West</b>	City of Deer Park	Commercial

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 large industrial warehouse use on this site would not be consistent with the development patterns in the area.
2. *Access.* There is sufficient existing right-of-way access along Underwood Rd.
3. *Utilities.* There are existing water and sewer services located along Underwood Rd.



**Planning and Zoning Commission**  
**July 21, 2022 – Zone Change #22-92000011**

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:

<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 proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed zone change would not be consistent with adjacent properties.
Conformance of a zoning request with the land use plan.	The proposed zone change will not be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed zone change to PUD with an industrial warehouse use would not be consistent with the existing general commercial zoning along this section of Underwood Rd.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Development of the site for the proposed warehouse use could be suitable but would not meet the character of the surrounding large lot residential neighborhood.
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 a significant impact on the traffic along Underwood Rd.
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 warehouse use could have potential negative impacts on the surrounding environment, especially noise, air, and light pollution nuisances.
The gain, if any, to the public health, safety, and welfare of the City.	No specific gain has been identified.

## **RECOMMENDATION**

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change Request #22-92000011.

## **ATTACHMENTS**

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



# Area Map

SCUP

#22-91000004

1241 Underwood

## 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 = 301 feet

JULY 2022

PLANNING DEPARTMENT





# Zoning Map

SCUP

#22-91000004

1241 Underwood

## Legend



Subject Tract



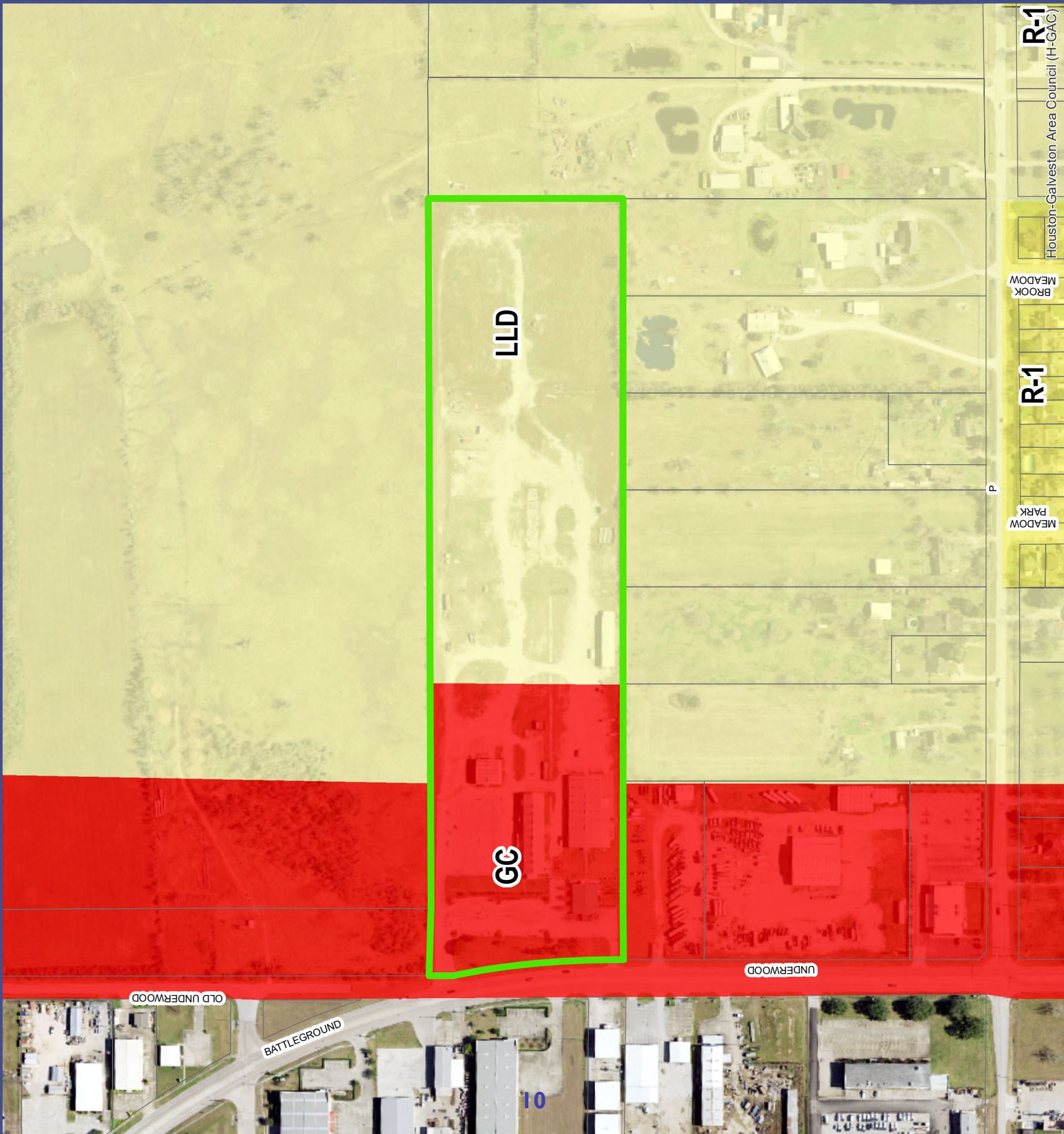
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JULY 2022

PLANNING DEPARTMENT





# FLUP Map

SCUP  
#22-91000004

1241 Underwood

## Legend

 Subject Tract

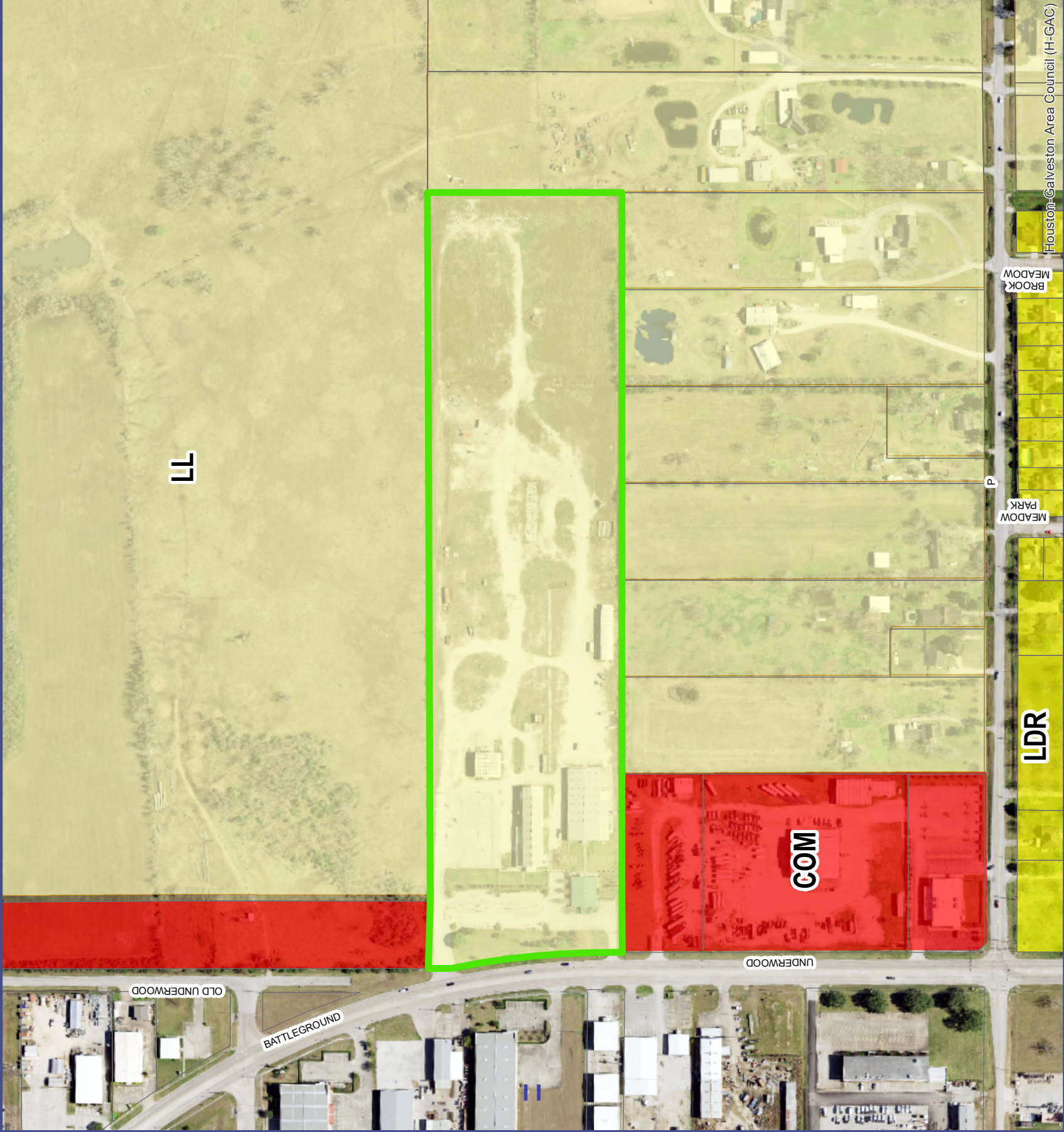


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JULY 2022  
PLANNING DEPARTMENT







# Zone Change Application

Planning and Development Department

## PROJECT INFORMATION

Address where zone change is being requested: 1241 Underwood Rd LaPorte, Tx 77571  
Legal description where zone change is being requested: LTS 367 368 369 & 370 LA PORTE OUT LOTS  
HCAD Parcel Number where zone change is being requested: 023137000039  
Zoning District: LC / Large Lot Residential Lot area: 21.29 Acres

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

Description of Request: Looking to Develop a Class A Tiltwall Industrial Bldg. Located on a Truck Route on outskirts of LaPorte, Tx. 20MM Dollar turntable Valve currently Industrial Bldgs on the property to be removed.

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: \_\_\_\_\_  
Company (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## AUTHORIZED AGENT (If other than owner)

Name: \_\_\_\_\_  
Company (if applicable): Breen Road Industrial Park, LLC  
Address: 1233 W loop S  
City: Houston State: Tx Zip: 77027  
Phone: 713-252-4011 Email: jon.lindenberger@colliers.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: 4-22-22

Owner(s)' Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

### STAFF USE ONLY:

Case Number:

22-92000011

Date Application Received:

5.5.22



# 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

## AFFIDAVIT OF POSTING

### PLANNING AND ZONING COMMISSION PUBLIC HEARING


STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

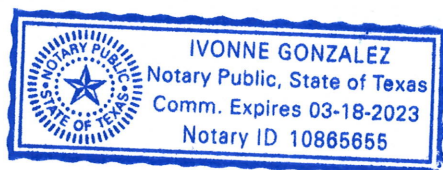
The undersigned hereby duly swears on oath and says:

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: \_\_\_\_\_  
LEGAL DESCRIPTION: \_\_\_\_\_
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

Jon Lindenberg  
\_\_\_\_\_  
Applicant's Printed Name

Subscribed and sworn before me this 3rd day of May, 2022 by  
Jon Lindenberg (Print Applicant's Name).



(Seal)

  
\_\_\_\_\_  
Notary Public

My commission expires: 3-18-2023



## Project Description/ Justification Letter

Breen Road Industrial Park, LLC is a seasoned developer looking for opportunistic sites to redevelop and create a win/win scenario for both businesses and the City of La Porte. We have identified 1241 Underwood as a site that could meet this requirement. The site is currently improved with five (5) industrial buildings, totaling 37,600 SF, and 11 acres of stabilized land for the outdoor storage of equipment. Our development team is asking for a zoning change to develop an approximately 250,000 SF Class A distribution building similar to what is depicted in the attached development package. The subject property is located on the Underwood road truck route, which serves as the boundary between La Porte and Deer Park. It has minimal impact on the city, while yielding a 20 million dollar tax basis when completed versus the current 3.5 million dollar tax valuation that will sit idle until redeveloped. Our goal is to create a building that will not only look attractive but also attract industry. We look forward to working with the City of La Porte on this redevelopment project.



## Planning and Development Department Staff Report SCUP Request - #22-91000004

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### DISCUSSION

#### Location:

The subject site is located at 1241 Underwood Rd.

#### Zoning:

Large Lot Residential (LLD) and General Commercial (GC)

#### Background Information:

The property is currently developed with a number of office and industrial buildings. The applicant would like to clear the site and develop a 280,000 square foot warehouse facility. The city is in the process of changing the zoning from GC and LLD to Planned Unit Development (PUD), to allow for the proposed Special Conditional Use Permit (SCUP).

Staff has provided a list of 13 conditions of approval. These conditions are meant to ensure that, if approved, this use will have minimal negative impacts on adjoining residential properties. The list of conditions can be found in Exhibit D.

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>	General Commercial (GC)/Large Lot Residential (LLD)	Undeveloped
<b>East</b>	Large Lot Residential (LLD)	Residential
<b>South</b>	General Commercial (GC)/Large Lot Residential (LLD)	Residential
<b>West</b>	City of Deer Park	Commercial

#### 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 large industrial warehouse use on this site would not be consistent with the development patterns in the area.



2. *Access.* There is sufficient existing right-of-way access along Underwood Rd.
3. *Utilities.* There are existing water and sewer services located along Underwood Rd.

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:

<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 proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed SCUP would not be consistent with adjacent properties.
Conformance of a zoning request with the land use plan.	The proposed SCUP will not be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed industrial warehouse use would not be consistent with current zoning along this section of Underwood Rd.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Development of the proposed site for warehouse uses could be suitable for this site but would not meet the character of the surrounding large lot residential neighborhood.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed SCUP will have a significant impact on the traffic along Underwood Rd.
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 warehouse use could have potential negative impacts on the surrounding environment, especially noise, air, and light pollution.
The gain, if any, to the public health, safety, and welfare of the City.	No specific gain has been identified.

## **RECOMMENDATION**

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed SCUP 22-91000004. If the Commission chooses to recommend approval, staff recommends the stated list of conditions be included in the recommendation for approval.

## **ATTACHMENTS**

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



# Area Map

SCUP

#22-91000004

1241 Underwood

## Legend



Subject Tract



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JULY 2022

PLANNING DEPARTMENT

Houston-Galveston Area Council (H-GAC)





# Zoning Map

SCUP

#22-91000004

1241 Underwood

## Legend



Subject Tract



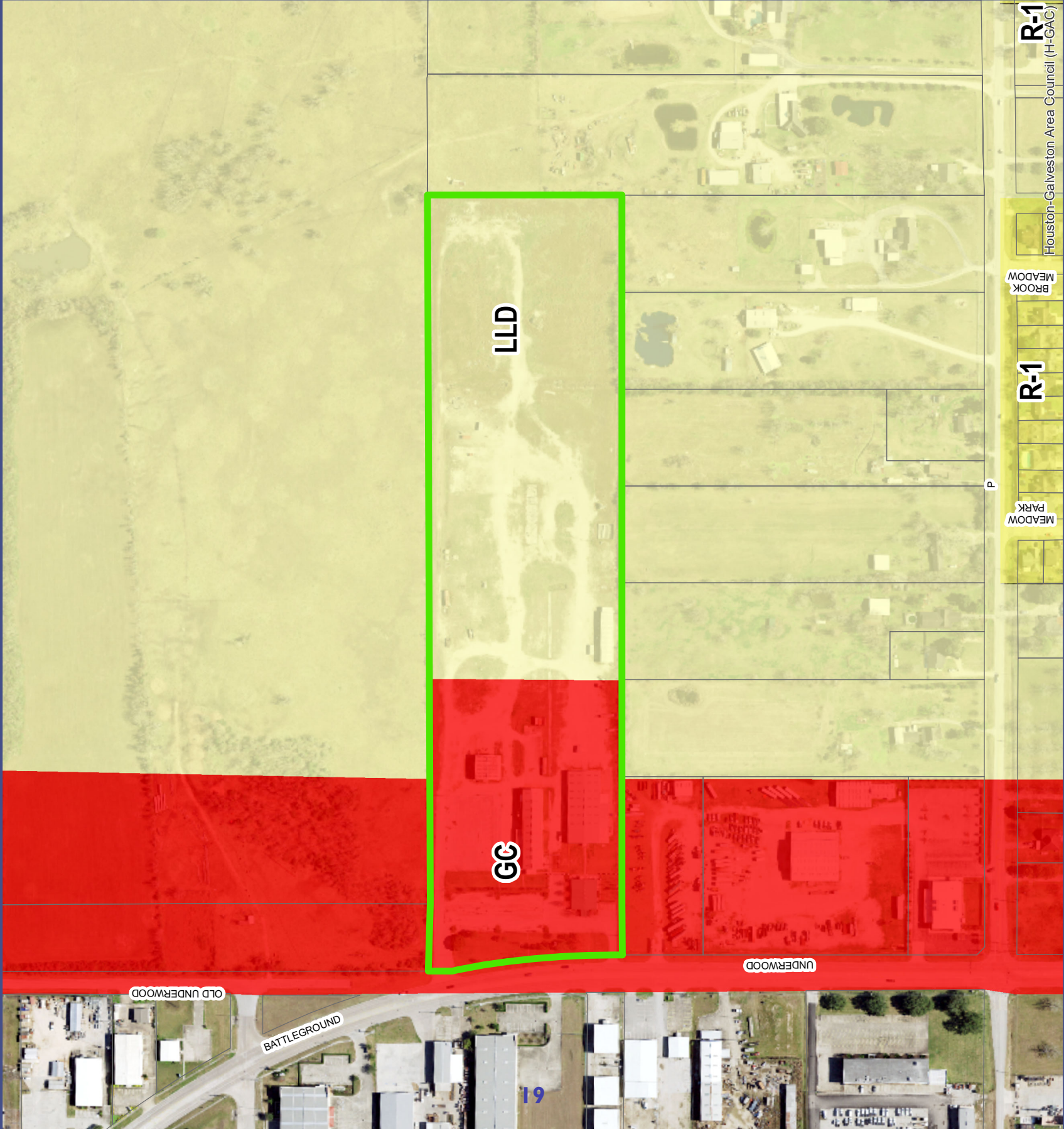
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JULY 2022

PLANNING DEPARTMENT



Houston-Galveston Area Council (H-GAC)

R-1

MEADOW PARK

MEADOW

BROOK

MEADOW

BROOK

MEADOW

BROOK

MEADOW

BROOK

MEADOW

BROOK

MEADOW



# FLUP Map

SCUP  
#22-91000004

1241 Underwood

## Legend

 Subject Tract

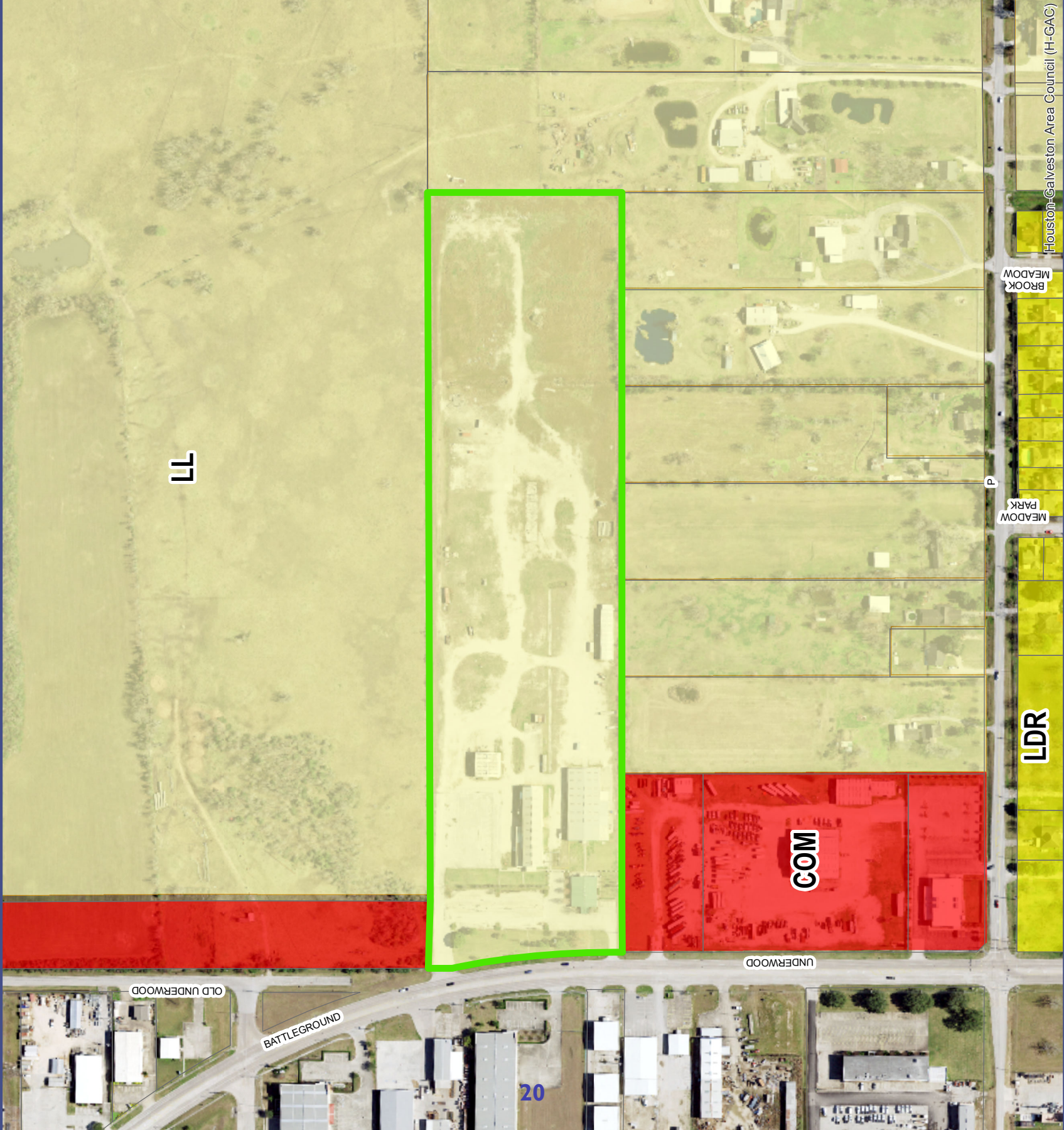


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JULY 2022  
PLANNING DEPARTMENT





**City of La Porte**  
**Special Conditional Use Permit**  
**#22-91000004**

**Applicant:** Breen Road Industrial Park, LLC.  
**Owner or Agent**

1223 West Loop South Houston, TX 77027  
**Address**

**Development Name/Type:** Warehouse Facility

**Location:** 1241 Underwood Rd.

**Legal Description:** Lots 367, 368, 369, & 370, La Porte Outlots, Harris County, Texas.

**Zoning:** PUD, Planned Unit Development

**Use:** Warehousing

**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 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. The underlying zoning is Light Industrial (LI). All LI zoning and development requirements will need to be met, outside of any conditions listed below.
3. The total allowed square footage of any building or accumulation of buildings shall not exceed 280,000 square feet.
4. All uses permitted in the Business Industrial (BI) zoning district shall be permitted.
5. Uses permitted in Light Industrial (LI) shall be allowed via approval of a Special Conditional Use Permit (SCUP).
6. Perimeter fencing must be constructed along all portions of the property adjacent to residential.
7. Perimeter fencing must 8' tall and 100% opaque.
8. Onsite lighting must be hooded and include motion sensors to limit light pollution on adjacent properties.
9. Onsite operations are limited to the hours of 7:00 AM – 7:00 PM.
10. No modular or temporary structures, including shipping containers, may be utilized on site at any time for any purpose. Shipping containers on chassis and defined as in-transit shall be permitted.
11. All onsite areas utilized for storage, parking, or driving must be paved with either concrete or asphalt. Chip seal or any other material is not permitted.
12. Hazardous materials which may or may not require a placard may not be stored on site for any length of time. This prohibition includes shipments of hazardous materials that are defined as in-transit by the Department of Transportation (DOT)
13. Any 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: 1241 Underwood Rd Laporte, Tx 77571  
Legal description where SCUP is being requested: LTS 367 368 369 + 370 LA PORTE OUTLOTS  
HCAD Parcel Number where SCUP is being requested: 0231390000369  
Zoning District: General Commercial / Large Lot Residential Lot area: 21.29 Acres  
A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.  
Description of Request: Looking to Develop a Class A Warehouse. Property is located on the outskirts of Laporte and on a Truck Route creating a 20 million dollar tax base project.  
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: \_\_\_\_\_  
Company (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### AUTHORIZED AGENT (If other than owner)

Name: \_\_\_\_\_  
Company (if applicable): Breen Road Industrial Park, LLC  
Address: 1233 W Loop S  
City: Houston, State: TX Zip: 77027  
Phone: 713-252-4011 Email: jan.lindenberger@gmail.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: 4-27-22

Owner(s)' Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

#### STAFF USE ONLY:

Case Number: 22-92000004

Date Application Received:

5.5.22



## Special Conditional Use Permit Application

Planning and Development Department

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

### OVERVIEW

Approval of a Special Conditional Use Permit (SCUP) is required under the following circumstances:

1. To consider approval of certain uses identified as "Conditional Uses" in the city's Commercial and Industrial Use table (Section 106-310 of City of La Porte Code of Ordinances) and Residential Use table (Section 106-331).
2. When developing property in a Planned Unit Development (PUD) zone district, consideration of a SCUP is required in accordance with Section 106-659 of the Code of Ordinances.

SCUP 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. *Need to write a check*
- ☒ **Site plan, conceptual site plan or general plan**, drawn to scale and dimensioned to show the location of proposed improvements for the development.
- ☒ **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 SCUP 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 SCUP 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 SCUP is being requested.

#### Project Description/ Justification Letter

Breen Road Industrial Park, LLC is a seasoned developer looking for opportunistic sites to redevelop and create a win/win scenario for both businesses and the City of La Porte. We have identified 1241 Underwood as a site that could meet this requirement. The site is currently improved with five (5) industrial buildings, totaling 37,600 SF, and 11 acres of stabilized land for the outdoor storage of equipment. Our development team is asking for a zoning change to develop an approximately 250,000 SF Class A distribution building similar to what is depicted in the attached development package. The subject property is located on the Underwood road truck route, which serves as the boundary between La Porte and Deer Park. It has minimal impact on the city, while yielding a 20 million dollar tax basis when completed versus the current 3.5 million dollar tax valuation that will sit idle until redeveloped. Our goal is to create a building that will not only look attractive but also attract industry. We look forward to working with the City of La Porte on this redevelopment project.



# Site Plan

## UNDERWOOD INDUSTRIAL DEVELOPMENT . LA PORTE, TEXAS

SCHEME C - 2022-03-25

M22-01-80039

### UNDERWOOD INDUSTRIAL DEVELOPMENT

CODE ANALYSIS - CITY OF LA PORTE  
INTERNATIONAL BUILDING CODE, 2018 EDITION  
THE INTERNATIONAL FIRE CODE, 2018 EDITION  
UNIFORM PLUMBING CODE, 2018 EDITION  
NATIONAL ELECTRICAL CODE, 2020 EDITION  
INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION  
UNIFORM MECHANICAL CODE, 2019 EDITION

SPRINKLERED, ESFR  
OCCUPANCY: INDUSTRIAL  
ALLOWABLE AREA: UNLIMITED  
BUILDING SQUARE FOOTAGES  
BUILDING 1: 279,240 S.F.

TOTAL: 279,240 S.F.  
DETENTION: 124% (UNSERVED)  
TOTAL LAND: 121.3 ACRES

SETBACK REQUIREMENTS (LIGHT INDUSTRIAL)  
FRONT: 20 FT  
REAR: 10 FT  
SIDE: 10 FT

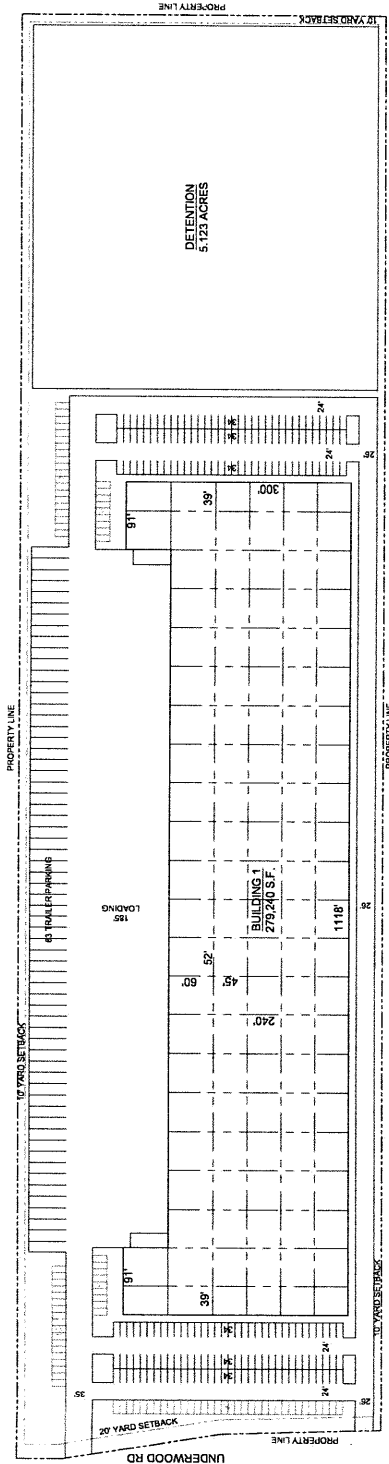
CITY OF LA PORTE PARKING REQUIREMENTS:  
WAREHOUSING:

4 MINIMUM PLUS 3 PER 1,000 S.F. OFFICE  
1 PER NON-OFFICE EMPLOYEE

TOTAL PROVIDED: 204  
(81 ADDITIONAL FUTURE SPACES SHOWN)

BASED ON PRELIMINARY INFORMATION PROVIDED  
BY THE OWNER - SUBJECT TO CHANGE

**METHOD architecture**  
2118 LAMAR ST. SUITE 200  
HOUSTON, TEXAS 77003  
(713) 842 - 7500



NTS

SITE PLAN





# 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: 1241 Underwood Rd La Porte, TX 77571

LEGAL DESCRIPTION: LTS 367 368 369 & 370 LA PORTE OUT LOTS

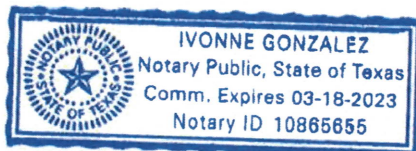
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: \_\_\_\_\_.
3. Said sign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

Applicant's Printed Name

Subscribed and sworn before me this 27 day of April, 2022, by

Jon Lindenberg (Print Applicant's Name).



(Seal)

Notary Public

My commission expires: 3-18-2023



Neighbors within 200 ft Boundary

4/27/22, 10:09 AM



Colliers

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<https://apps.spatialstream.com/landvision/staging/CurrentBuild/Htm/printpreview.html>



4/27/22, 10:09 AM

## Addresses

SITE ADDR	9803 N P ST	SITE CITY	LA PORTE	SITE ZIP	77571
APN	0231390000372	OWNER NAME 1	JCS LIFT LLC	ASSESSED VALUE	491854
DATE TRANSFER	Thu Jul 26 2018 00:00:00 GMT-0500 (Central Daylight Time)	VALUE TRANSFER		BUILDING SQUARE FEET	1728
LOT ACREAGE	5	LOT SQUARE FEET	217796	NUMBER OF UNITS	
YEAR BUILT	1950	STANDARD USE CODE CATEGORY DESC	RESIDENTIAL	STANDARD USE CODE DESC	SINGLE FAMILY RESIDENCE
SITE ADDR	9823 N P ST	SITE CITY	LA PORTE	SITE ZIP	77571
APN	0231390000377	OWNER NAME 1	BEACHAM, DENNIS T	ASSESSED VALUE	544200
DATE TRANSFER	Wed May 07 2008 00:00:00 GMT-0500 (Central Daylight Time)	VALUE TRANSFER		BUILDING SQUARE FEET	1928
LOT ACREAGE	4.34	LOT SQUARE FEET	189242	NUMBER OF UNITS	
YEAR BUILT	1994	STANDARD USE CODE CATEGORY DESC	RESIDENTIAL	STANDARD USE CODE DESC	SINGLE FAMILY RESIDENCE
SITE ADDR	9831 N P ST	SITE CITY	LA PORTE	SITE ZIP	77571
APN	0231390000393	OWNER NAME 1	HAY, GORDON RICHARD	ASSESSED VALUE	405000
DATE TRANSFER		VALUE TRANSFER		BUILDING SQUARE FEET	1672
LOT ACREAGE	5	LOT SQUARE FEET	217648	NUMBER OF UNITS	
YEAR BUILT	1952	STANDARD USE CODE CATEGORY DESC	RESIDENTIAL	STANDARD USE CODE DESC	SINGLE FAMILY RESIDENCE
SITE ADDR	9903 N P ST	SITE CITY	LA PORTE	SITE ZIP	77571
APN	0231390000385	OWNER NAME 1	MCFATRIDGE S	ASSESSED VALUE	365529
DATE TRANSFER		VALUE TRANSFER		BUILDING SQUARE FEET	1393
LOT ACREAGE	4	LOT SQUARE FEET	174240	NUMBER OF UNITS	
YEAR BUILT	1950	STANDARD USE CODE CATEGORY DESC	RESIDENTIAL	STANDARD USE CODE DESC	SINGLE FAMILY RESIDENCE
SITE ADDR	9915 N P ST	SITE CITY	LA PORTE	SITE ZIP	77571
APN	1178730010001	OWNER NAME 1	WEHBA, JOHN KYLE	ASSESSED VALUE	724166
DATE TRANSFER		VALUE TRANSFER		BUILDING SQUARE FEET	1581
LOT ACREAGE	5.03	LOT SQUARE FEET	218889	NUMBER OF UNITS	
YEAR BUILT	2009	STANDARD USE CODE CATEGORY DESC	RESIDENTIAL	STANDARD USE CODE DESC	SINGLE FAMILY RESIDENCE



4/27/22, 10:09 AM

<b>SITE ADDR</b>	9919 N P ST	<b>SITE CITY</b>	LA PORTE	<b>SITE ZIP</b>	77571
<b>APN</b>	1178730010002	<b>OWNER NAME 1</b>	THOMAS, ANDREW DAVID	<b>ASSESSED VALUE</b>	710000
<b>DATE TRANSFER</b>	Wed Jul 01 2020 00:00:00 GMT-0500 (Central Daylight Time)	<b>VALUE TRANSFER</b>		<b>BUILDING SQUARE FEET</b>	1674
<b>LOT ACREAGE</b>	5.03	<b>LOT SQUARE FEET</b>	218889	<b>NUMBER OF UNITS</b>	
<b>YEAR BUILT</b>	1995	<b>STANDARD USE CODE CATEGORY DESC</b>	RESIDENTIAL	<b>STANDARD USE CODE DESC</b>	SINGLE FAMILY RESIDENCE
<b>SITE ADDR</b>	9923 N P ST	<b>SITE CITY</b>	LA PORTE	<b>SITE ZIP</b>	77571
<b>APN</b>	1178730010005	<b>OWNER NAME 1</b>	BASS, GARY D	<b>ASSESSED VALUE</b>	536697
<b>DATE TRANSFER</b>		<b>VALUE TRANSFER</b>		<b>BUILDING SQUARE FEET</b>	1883
<b>LOT ACREAGE</b>	1.57	<b>LOT SQUARE FEET</b>	68211	<b>NUMBER OF UNITS</b>	
<b>YEAR BUILT</b>	1995	<b>STANDARD USE CODE CATEGORY DESC</b>	RESIDENTIAL	<b>STANDARD USE CODE DESC</b>	SINGLE FAMILY RESIDENCE



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## Planning and Development Department Staff Report FLUP Amendment - #22-92000011

---

### DISCUSSION

Location:

The subject site is at 1241 Underwood Dr.

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 21.29-acre tract of land from the Large Lot Residential (LLD) and General Commercial (GC) zoning districts to the Planned Unit Development (PUD) zoning district.

The City's Future Land Use Plan (FLUP) identifies this property as "Large Lot Residential". In order to accommodate the proposed zone change, the FLUP should be amended to allow for "Light Industrial". 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 zoning and surrounding land uses (see the attached Exhibit A):

	Land Use Category	Land Use
<b>North</b>	Commercial Large Lot	Undeveloped
<b>East</b>	Large Lot	Residential
<b>South</b>	General Commercial/Large Lot	Residential
<b>West</b>	City of Deer Park	Commercial

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.

### RECOMMENDATION

Should the Planning and Zoning Commission recommend approval for Zone Change request #22-92000011, 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



Exhibit A

Current FLUP

SCUP

#22-91000004

1241 Underwood Rd.

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 = 301 feet

JULY 2022

PLANNING DEPARTMENT





# Proposed FLUP

SCUP

#22-91000004

1241 Underwood Rd.

Legend



Subject Tract



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JULY 2022

PLANNING DEPARTMENT

Houston-Galveston Area Council (H-GAC)





## Planning and Development Department Staff Report SCUP Request - #22-91000005

---

### DISCUSSION

Location:

The subject site is located at 914 SH 146 South

Zoning:

General Commercial (GC)

Background Information:

The property is currently undeveloped and is located directly behind the current Denny's Restaurant along SH 146. The applicant is interested in constructing a motel behind the existing restaurant. Current plans show the sole access to the motel coming from the Denny's parking lot, with access to SH 146.

The applicant purchased this land back in 2018 and requested a SCUP for this same use in June of 2018. The Commission at that time voted 6-0 to recommend denial of the request. City Council then denied the item at their July 23, 2018 regular meeting.

Staff has provided a list of 5 conditions of approval. The list of conditions can be found in Exhibit D.

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>	General Commercial (GC)	Hotel
<b>South</b>	General Commercial (GC)	Fast Food/Urgent Care
<b>West</b>	Light Industrial (LI)	Kroger
<b>East</b>	General Commercial (GC)	Denny's/SH 146

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 the proposed motel use is not a good fit with the surrounding land uses. The site is located within 1300 feet of at least 6 exiting hotel/motel uses, and within 2000 feet of





- 10 existing or approved hotel/motels. The site is small and does not have adequate ingress and egress for the proposed use.
2. *Access.* The proposed site does not have enough frontage along SH 146 to allow for a driveway. The only proposed access is through the Denny's parking lot.
  3. *Utilities.* Water and sewer services are available along the western edge of the property.

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:

<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 proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed use would add to a glut of existing hotel/motel uses already operating in the immediate area.
Conformance of a zoning request with the land use plan.	The proposed SCUP would be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed use would be consistent with the area. However, the proposed development, with access issues and size of proposed lot, would not be consistent with similar developments in the area.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Development of the proposed site for warehouse uses could be suitable for this site but would not meet the character of the surrounding large lot residential neighborhood.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed SCUP should not have a significant impact on the traffic along SH 146.
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 will not create any additional excessive air pollution or other negative environmental issues.
The gain, if any, to the public health, safety, and welfare of the City.	No specific gain has been identified.

## **RECOMMENDATION**

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed SCUP 22-91000005. If the Commission chooses to recommend approval, staff recommends the stated list of conditions be included in the recommendation for approval.



**Planning and Zoning Commission**  
**July 21, 2022 – SCUP #22-91000005**

**ATTACHMENTS**

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



# Area Map

SCUP

#22-91000005

914 S. Hwy 146

## Legend



Subject Tract



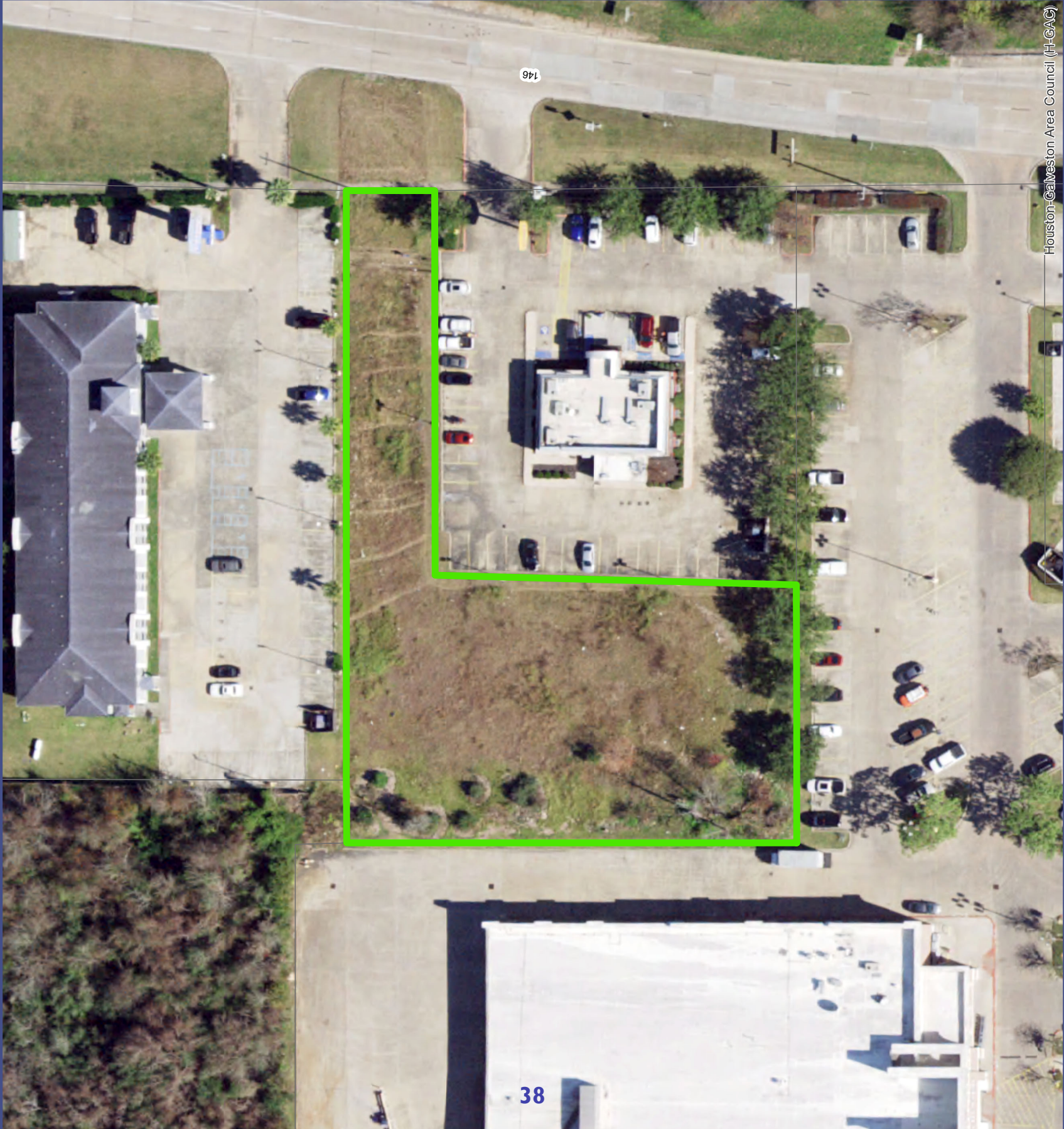
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1 inch = 60 feet

JULY 2022

PLANNING DEPARTMENT





# Zoning Map

SCUP

#22-91000005

914 S. Hwy 146

## Legend



Subject Tract



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1 inch = 60 feet

JULY 2022

PLANNING DEPARTMENT





# FLUP Map

SCUP

#22-91000005

914 S. Hwy 146

## Legend



Subject Tract

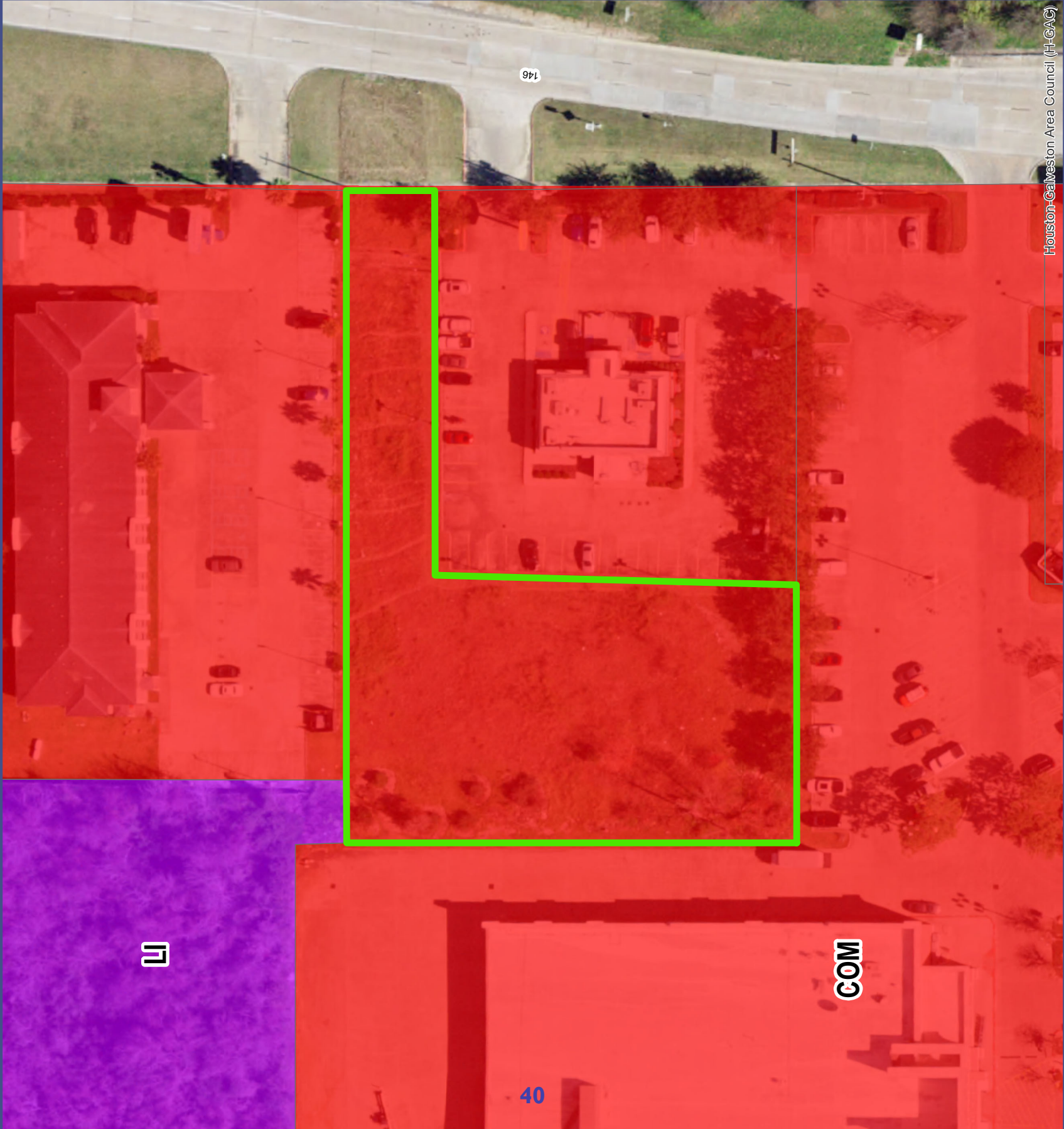


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1 inch = 60 feet

JULY 2022  
PLANNING DEPARTMENT





**City of La Porte**  
**Special Conditional Use Permit**  
**#22-91000005**

**Applicant:** Jaison Bechar  
**Owner or Agent**  
29711 S. Legends Village Ct. Spring, TX 77386  
**Address**

**Development Name/Type:** Executive Inn and Suites

**Location:** 914 SH 146 South.

**Legal Description:** Reserve A, Block 1, Kishan at La Porte, Harris County, TX

**Zoning:** General Commercial (GC)

**Use:** Hotel/Motel

**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 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. The only permitted use on site shall be NAICS #721110 – Hotels (except Casino Hotels) and Motels.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
5. Any substantial 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: 914 S. HWY 146, La Porte, TX 77571

Legal description where SCUP is being requested: 0.877 Acre Tract out of Restricted Reserve "A" Denny's La Porte

HCAD Parcel Number where SCUP is being requested: 1206770000001

Zoning District: General Commercial

Lot area: 0.877

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

Description of Request: \_\_\_\_\_

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: Satish Bechar

Company (if applicable): \_\_\_\_\_

Address: 29711 S Legends Village Ct

City: Spring

State: TX

Zip: 77386

Phone: 713-303-6867

Email: sampatelht@yahoo.com

## AUTHORIZED AGENT (If other than owner)

Name: Jaison Bechar

Company (if applicable): \_\_\_\_\_

Address: 29711 S Legends Village Ct

City: Spring

State: TX

Zip: 77386

Phone: 713-775-7337

Email: jaisonb88@yahoo.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: 05/26/2022

Owner(s)' Signature(s): \_\_\_\_\_

Date: 05/26/2022

### STAFF USE ONLY:

Case Number: \_\_\_\_\_

22-91000005

Date Application Received:

5-26-22



# 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: 914 S. HWY 146, La Porte, TX 77571

LEGAL DESCRIPTION: 0.877 Acre Tract out of Restricted Reserve "A" Denny's La Porte

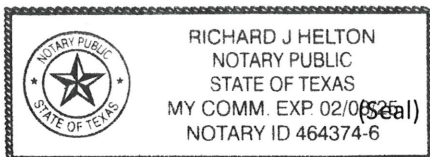
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: 07/21/2022.
3. Said sign 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.

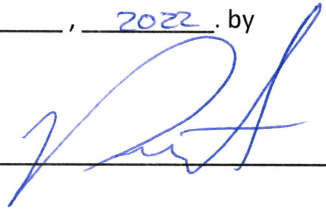
  
Applicant's Signature

Jason Bechar  
Applicant's Printed Name


Subscribed and sworn before me this 26 day of MAY, 2022, by

JAISON SATISH BECHAR (Print Applicant's Name).



  
Notary Public

My commission expires: 2-8-25



## City of La Porte SCUP Project Description

For:  
914 S. HWY 146  
La Porte, TX 77571  
HCAD Parcel # 120-677-000-0001

The project will be an Exterior Corridor Extended stay motel. It would primarily serve guests that require daily to weekly lodging in the area. It will cater more towards the refinery workers.







# 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: 914 S. HWY 146, La Porte, TX 77571  
LEGAL DESCRIPTION: 0.877 Acre Tract out of Restricted Reserve "A" Denny's La Porte
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: 07/21/2022.
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*

\_\_\_\_\_  
*Applicant's Printed Name*

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

\_\_\_\_\_  
*Notary Public*

(Seal)

My commission expires: \_\_\_\_\_





## **Administrative Report**

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- a. Comprehensive Plan Update
- b. Next Regular Meeting – August 18, 2022