

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
VICTOR PERES
Commissioner District 5
NANCY OJEDA
Commissioner District 6

**LA PORTE PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, SEPTEMBER 15 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/81112192247?pwd=V3U2SHFieFVU2dTVEZtTWdNdXliZz09>
Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 811 1219 2247. The passcode is 551442.

Persons with disabilities who plan to attend this meeting, in person or remotely, and who may need auxiliary aids or services are requested to contact the Planning Department (281-470-5057) three working days prior to the meeting for appropriate arrangements

1. CALL TO ORDER

2. ROLL CALL OF MEMBERS

3. CONSIDER APPROVAL OF THE MEETING MINUTES: Approve the minutes of the August 18, 2022 regular meeting of the Planning and Zoning Commission.

4. ZONE CHANGE REQUEST #22-92000012: The Commission will hold a public hearing on Zone Change Request #22- 92000012, pursuant to an application from the City of La Porte, applicant, for approval of a zone change from General Commercial (GC) to Low Density Residential (R-1), for a 3.25-acre tract of land located between W. Fairmont and I St. along S. 2nd and S. 3rd streets; legally described as Lots 23-32, Block 1777 and Lots 1-13, 20-32, and the northern 17 feet of lots 14 and 19, Town of La Porte, Harris County, Texas

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

5. COMMISSION DISCUSSION AND POSSIBLE ACTION: Zone Change #22-92000012

6. SCUP REQUEST #22-91000006: The Commission will hold a public hearing on SCUP Request #22-91000006, pursuant to an application from Aldo Hernandez of Prologis, applicant, on behalf of Rebecca Hoffman of Union Pacific Railroad, owner, for approval of a SCUP to allow for merchant wholesale trade uses in buildings that exceed 40,000 square feet and on a site in excess of five (5) acres, to locate on a 52.405-acre tract of land, legally described as Lots 904, 905, 906, 909, 910, 911, 918, 919, 920 & Tracts 907, 908, 921 La Porte Outlots; Tracts 4, 4E, 4F Abstract 5 Brinson; Tract 2 Abstract 5 Brinson; Harris County, Texas.

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

7. COMMISSION DISCUSSION AND POSSIBLE ACTION: SCUP Request #22-91000006.

8. DISCUSSION ITEMS:

- a. Street and Alley Closure Requests
- b. Chapter 106 Subcommittee Update
- c. Comprehensive Plan Update
- d. Next Regular Meeting – OCTOBER 13

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 **September 15, 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 _____

Approval of Meeting Minutes

- a. August 18, 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
VACANT
Commissioner District 5
NANCY OJEDA
Commissioner District

**MINUTES OF THE REGULAR MEETING OF THE
LA PORTE PLANNING AND ZONING COMMISSION
AUGUST 18, 2022**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, August 18, 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, Mark Follis, Donna O'Conner, Richard Warren, Nancy Ojeda, James Walters, and Nolan Allen.

Commissioners absent: None.

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: – All members were present.

3. CONSIDER APPROVAL OF THE MEETING MINUTES:

a. Approve the minutes of the meeting held on July 21, 2022.

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

4. RESIDENTIAL REPLAT #22-97000002: The Commission will hold a public hearing for Residential Replat #22-97000002, pursuant to an application from Survey 1, Inc., applicant, on behalf of Clarence Morgan Family Living Trust, owner, for the proposed Partial Replat of Outlot 459 La Porte Outlots, a 4.96-acre replat located at the 10415 N. H St. and legally described as Tracts 459 and 459A, La Porte Outlots, Harris County, Texas.

The hearing was opened at 6:01 PM. City Planner Ian Clowes presented the request and provided background information.

5. ADJOURN PUBLIC HEARING: 6:03

Commissioner O'Conner moved to approve Residential Replat #22-97000002 as presented; the motion was adopted, 8-0 and the item was approved.

6. DISCUSSION ITEMS:

a. Chapter 106 Subcommittee

City Planner, Ian Clowes, provided an update on staff progress regarding the 106 review.

b. Comprehensive Plan Update

Director, Teresa Evans, provided an update on recent activities for the Comprehensive Plan Update.

c. October Meeting Date

City Planner, Ian Clowes, explained that staff will be out of town on the regularly scheduled October meeting date due to a training. It was proposed that the meeting could be moved to October 13th. The Commission agreed to reschedule the meeting for this date.

d. Next Regular Meeting – September 15, 2022

ADJOURN: Commissioner O’Conner made the motion to adjourn at 6:11 PM; the motion was adopted 8-0.

Hal Lawler, Planning and Zoning Commission Chairman

Ian Clowes, City Planner



Planning and Development Department Staff Report Zone Change Request - #22-92000012

DISCUSSION

Location:

The subject site is located between W. Fairmont Pkwy. and W. I St., between S. 2nd and S. 3rd Streets.

Legal Description:

Lots 23-32, Block 1777 and Lots 1-13, 20-32, and the northern 17 feet of lots 14 and 19, Town of La Porte, Harris County, Texas

Background Information:

The property is currently developed with single family homes. When this area of the city was initially zoned, the determination was made to zone all of the property between W. I Street and W. Fairmont Pkwy. as General Commercial. The majority of the existing uses within this area are commercial in nature, with the exception of the area between S. 2nd and S. 3rd streets. This has made it difficult for the existing homes to improve their property.

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

	Zoning	Land Use
North	Low Density Residential (R-1)	Single Family Residential
South	General Commercial (GC)	Commercial
West	General Commercial (GC)	City storage and water facility
East	General Commercial (GC)	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 posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

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

1. *Land Use.* Staff finds that low density single family residential is an ideal fit for the existing site.
2. *Access.* There is sufficient existing right-of-way access throughout the subject area.
3. *Utilities.* The site is already connected to city utilities.



Planning and Zoning Commission
September 15, 2022 – Zone Change #22-92000012

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 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 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 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 the existing developments from being redeveloped into higher density residential in the future.

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed Zone Change request #22-92000012.

ATTACHMENTS

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

Area Map

Zone Change
#22-92000012

S. 2nd and S. 3rd

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 = 121 feet

SEPTEMBER 2022
PLANNING DEPARTMENT



Zoning Map

Zone Change
#22-92000012

S. 2nd and S. 3rd

Legend



Subject Tracts

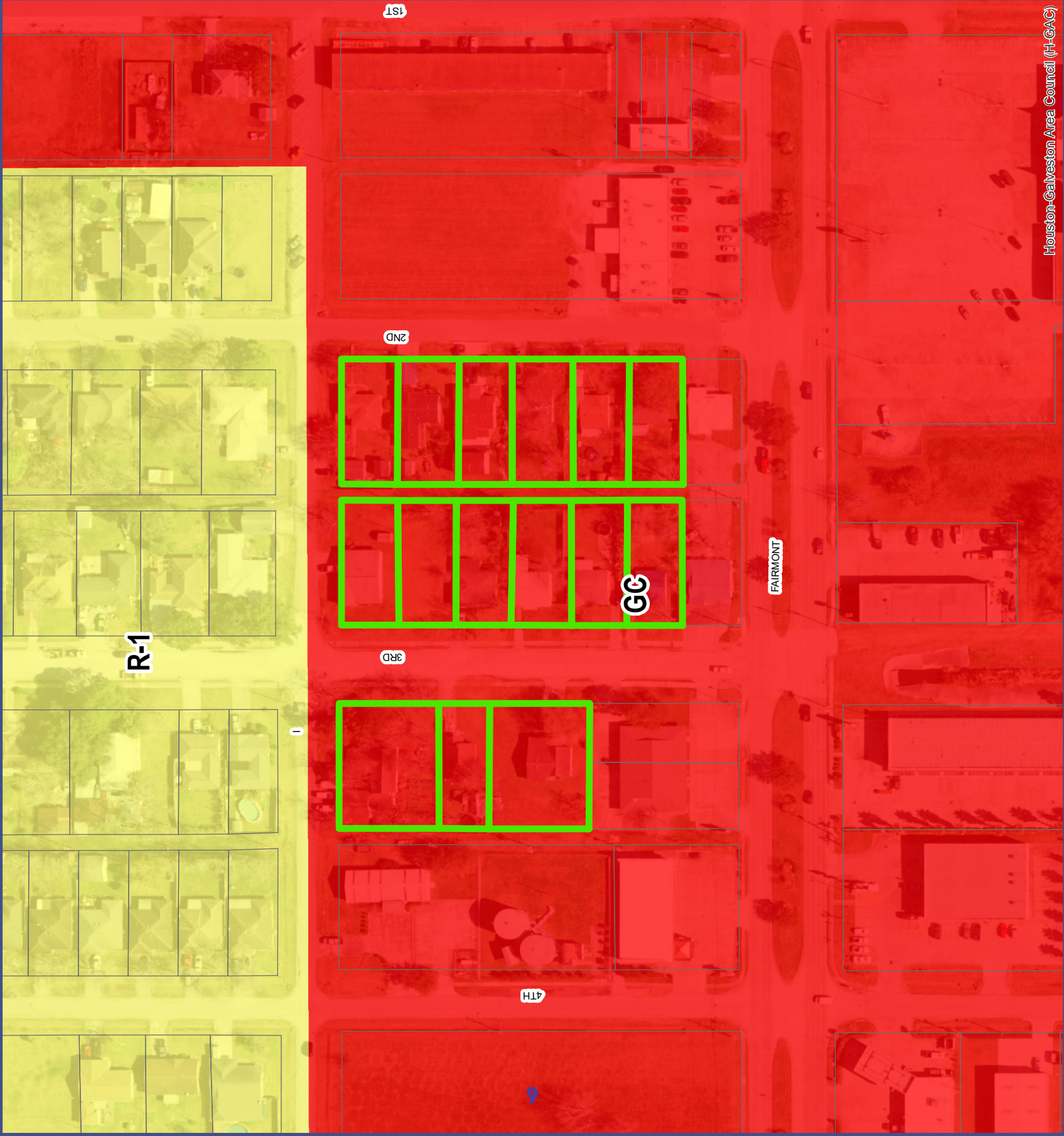


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SEPTEMBER 2022
PLANNING DEPARTMENT



FLUP Map

Zone Change
#22-92000012

S. 2nd and S. 3rd

Legend



Subject Tracts

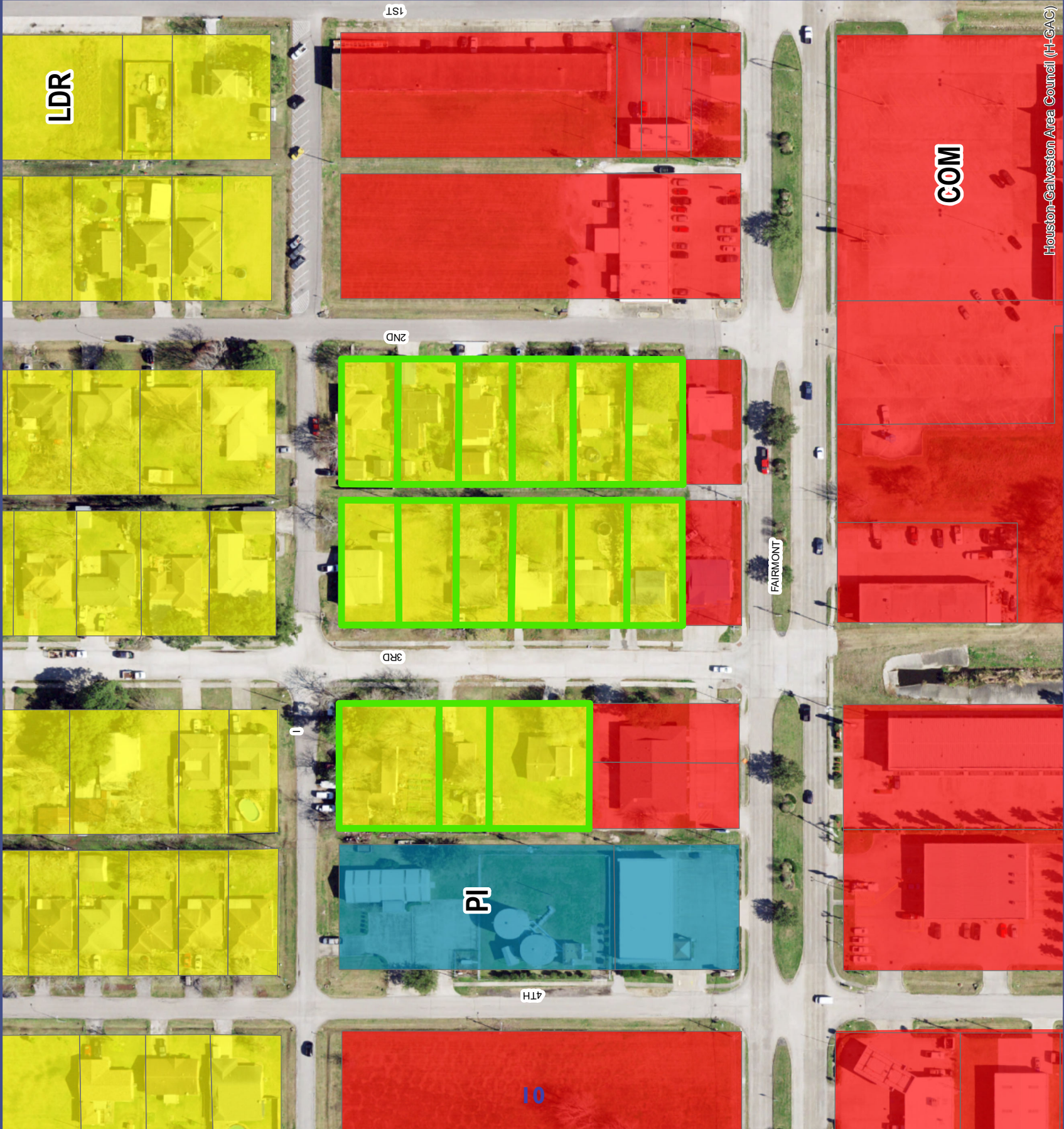


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SEPTEMBER 2022
PLANNING DEPARTMENT





Planning and Development Department Staff Report
SCUP Request - #22-91000006

DISCUSSION

Location:

The subject site is located at N. P St., East of Sens Rd, South of State Highway 225.

Background Information:

The property, Tracts 1 and 2, is currently undeveloped and owned by Union Pacific Railroad. Prologis, formerly Liberty Property, is interested in developing the 52.405 acre site as an industrial/commerce park similar to what they have developed at Port Crossing. The current proposal calls for the construction of three (3) SPEC warehouse/industrial buildings ranging in size from 125,000 square feet up to 750,000 square feet. The developer does not have a specific end user in mind at this time but anticipates interest from businesses that currently fall under the Merchant Wholesale uses NAICS. Currently, the zoning code restricts Merchant Wholesale uses to buildings no greater than 40,000 square feet on tracts of land no greater than 5 acres. The code does allow for the approval of a SCUP in order to permit larger buildings and larger acreage.

Staff has provided a list of nine (9) conditions of approval. If approved, the proposed SCUP with conditions would permit buildings up to 750,000 square feet on a site not to exceed 55 acres in size.

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	SH 225/ETJ	Battleground Industrial District
South	LI, Light Industrial	Drainage Channel
West	LI, Light Industrial	Industrial Developments
East	HI, Heavy Industrial	Rail Yard

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 an industrial commerce park would be consistent with other industrial uses in this area along SH 225 and P Street.
2. *Access.* There is sufficient existing right-of-way access along Sens Road and P Street.



3. *Utilities.* Water and sewer services are available along Sens Rd. Will need to be extended to site.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area would need to be extended to the site. Developer is willing to improve N. P St. in order to meet expanded demand. Developer is in talks with Union Pacific to gain an easement over existing rail lines along SH 225 which could permit direct drive access to SH 225.
Impact on the value and practicality of the surrounding land uses.	Proposed SCUP would be consistent with other industrial properties in this area along SH 225 and Sens Rd.
Conformance of a zoning request with the land use plan.	The proposed SCUP is in conformance with the future land use plan which designates the area as Light Industrial (LI)
Character of the surrounding and adjacent areas.	The proposed use is consistent with the industrial character of SH 225 and the specific portions of Sens Rd. and N. P that would act as access points to the development.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The developer has proposed improvements to adjacent roadways and adding direct access via SH 225 feeder in order to meet the expanded demands from the proposed project.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed SCUP would have primary access off of N. P St. with a possible access point directly onto SH 225. The applicant plans to conduct a Traffic Impact Analysis to determine what, if any, improvements will be needed.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	The proposed use should not have a significant impact on environmental integrity of the surrounding area.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed project has the potential to increase the tax base and add additional jobs within the city limits.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission conduct a public hearing for the proposed SCUP #22-91000006. If the Commission chooses to recommend approval, staff has listed a number of conditions that should be considered as part of the approval.



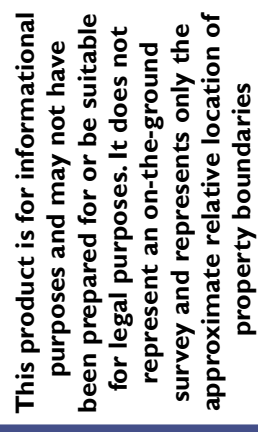
ATTACHMENTS

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

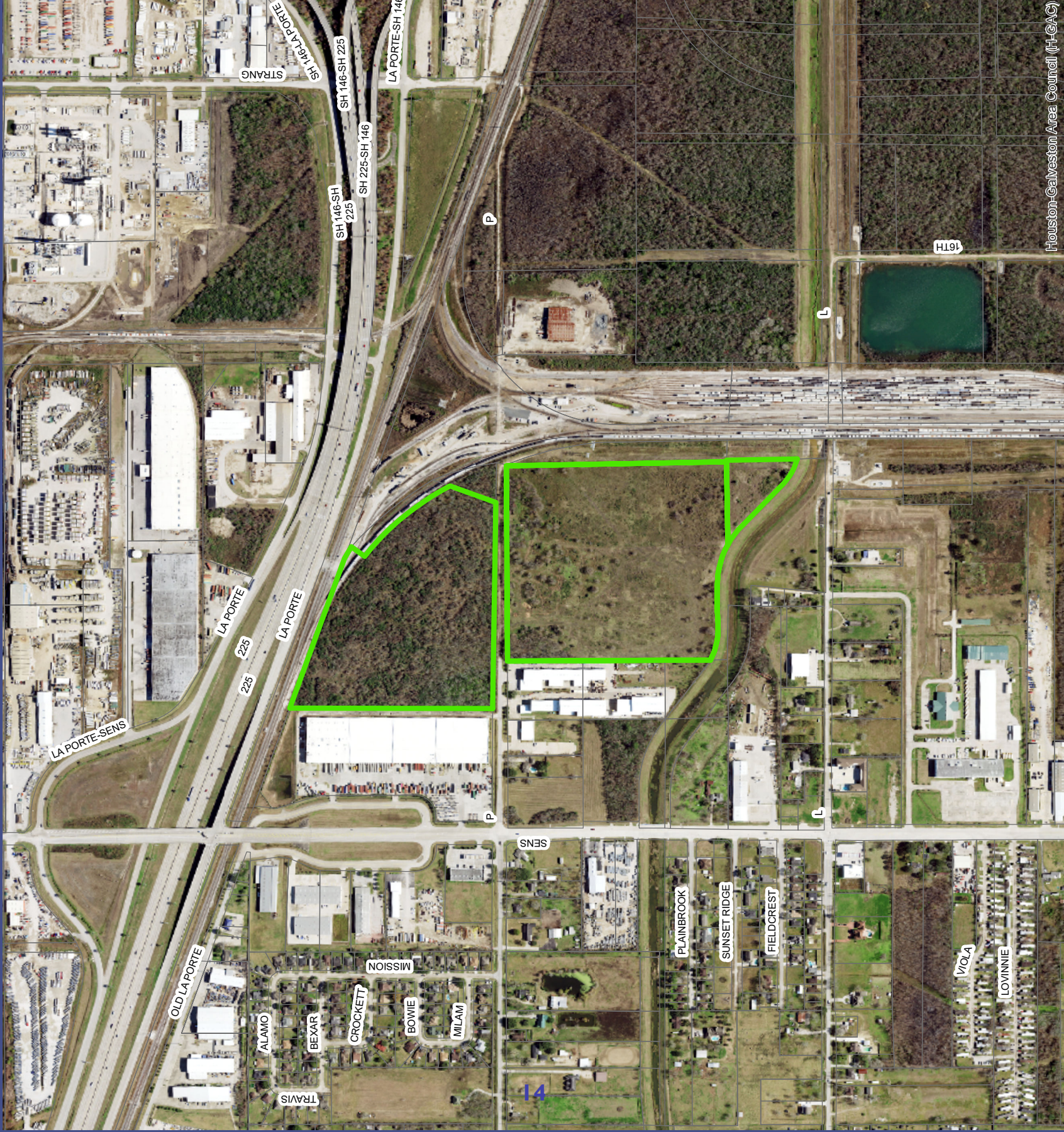
AREA MAP

**N. P St. East
of Sens Rd.**

Subject Tracts



PLANNING DEPARTMENT



ZONING MAP

SCUP
#21-92000002

N. P St. East
of Sens Rd.

Legend

 Subject Tracts



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1 inch = 690 feet

JUNE 2021

PLANNING DEPARTMENT

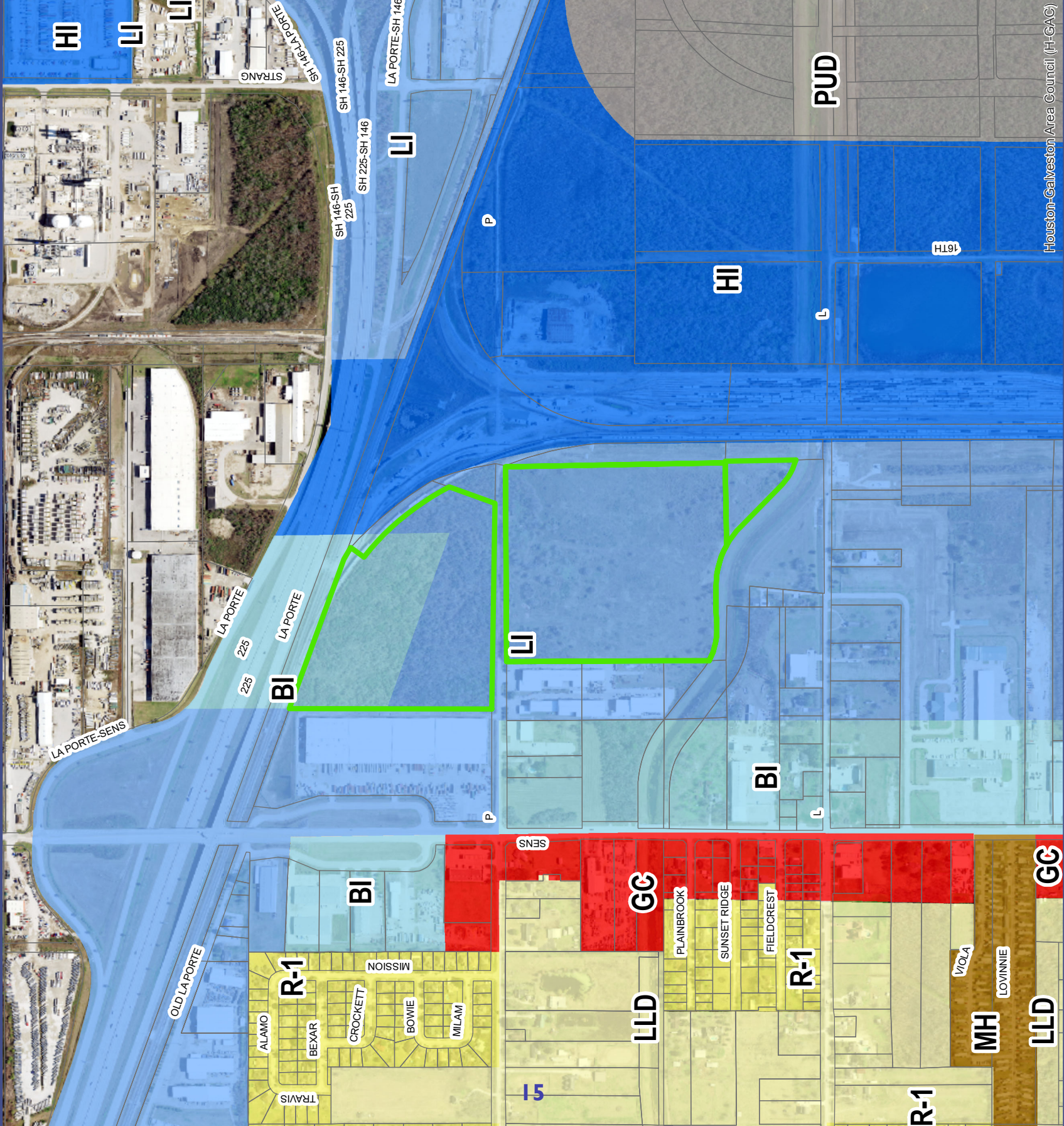


EXHIBIT C

FLUP MAP

SCUP

#21-92000002

**N. P St. East
of Sens Rd.**

Legend

 Subject Tracts



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1 inch = 690 feet



JUNE 2021
PLANNING DEPARTMENT



City of La Porte
Special Conditional Use Permit
#22-91000006

Applicant: Aldo Hernandez, Prologis
Owner or Agent
9655 Katy Freeway, Suite 400 Houston, TX 77024
Address

Development Name/Type: P Street Industrial Park (Tracts 1 and 2)

Location: N. P St., East of Sens Rd, South of State Highway 225

Legal Description: Lots 904, 905, 906, 909, 910, 911, 918, 919, 920 & Tracts 907, 908, 921 La Porte Outlots; Tracts 4, 4E, 4F Abstract 5 Brinson; Tract 2 Abstract 5 Brinson, Harris County, Texas.

Zoning: LI, Light Industrial/BI, Business Industrial

Use: Industrial

Permit Conditions:

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

1. A site development plan shall be submitted, if necessary, in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All Merchant Wholesale Uses listed in Chapter 106-310 shall be permitted to locate within buildings up to 750,00,000 square feet in total area and within a tract of land not to exceed 55 acres.
3. All uses permitted in the City of La Porte Zoning Ordinance Use Chart under LI (Sec. 106- 310, Table A "Commercial and Industrial Uses" of the City of La Porte Code of Ordinances) as may be amended from time to time are permitted.
4. All surfaces on site intended for parking, drive aisles, or outside storage must be paved with either asphalt or concrete.
5. The following uses/activities shall NOT be permitted on the property.
 - a. Shipping/tank containers, equipment or raw materials stored "off chassis" overnight anywhere on the property unless properly screened.
 - b. Stacking of shipping/tank containers anywhere on the property unless properly screened.
6. The building facade of the building erected on the property will comply with the Tier 3 design guideline requirements of Sec.106-925 of the City of La Porte Code of Ordinances.
7. The truck docks will be designed such that they are screened from view from Hwy 225.
8. Developer shall work with the City to implement improvements to the intersection of N P St. and Sens Road through the completion of a traffic impact analysis (TIA) and warrant analysis in order to properly route truck traffic exiting the site in order to deter and attempt to prevent trucks from proceeding south onto Sens Road.
9. 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: N P St. East of Sens Rd.

Legal description where SCUP is being requested: See attached

HCAD Parcel Number where SCUP is being requested: 040-177-001-0003; 040-0231470000904

Zoning District: Business Industrial & Light Industrial Lot area: +/- 52.405 ac.

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

Description of Request: Approval of a Special Conditional Use Permit on the above referenced tracts to allow for the development of and industrial park consistent with the underlying zoning and general plan.

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: Rebecca Hoffman

Company (if applicable): Union Pacific Railroad Company

Address: 1400 Douglas Street STOP 1690

City: Omaha State: NE Zip: 68179

Phone: _____ Email: rhoffman@up.com

AUTHORIZED AGENT (If other than owner)

Name: Aldo Hernandez

Company (if applicable): Prologis

Address: 9655 Katy Freeway, Suite 400

City: Houston State: TX Zip: 77024

Phone: (713) 613-6939 Email: ahernandez2@prologis.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: [Signature] Date: 8/12/22

Owner(s)' Signature(s): Rebecca Hoffman Date: 8/12/2022

STAFF USE ONLY:

Case Number:

Date Application Received:



August 12, 2022

City of LaPorte
ATTN: Planning and Zoning Commission
604 West Fairmount Parkway
La Porte, Texas 77571

Re: SCUP Application: LTSs 904, 905, 906, 909, 910, 911, 918, 919, 920 & TRS 907, 908, 921
LaPorte Outlots; TRS 4, 4E, 4F ABST 5 Brinson; TR 2 ABST 5 Brinson

Dear Planning Commission:

Attached is a SCUP application in connection with the proposed development of an ~ 57.39 acre site that is south of Highway 225, east of Sens Road, on the north and south side of North P Street. The site is adjacent to a 267,450 SF industrial building on the west side, currently leased to Canal Cartage. The attached site plan outlines the proposed development, a multi-building Planned Unit Development (PUD) Class A industrial park. The proposed PUD is consistent with the future land use map for these sites. The development team includes both Hans Brindley and Ken Chang, both previously with Liberty Property Trust (the developers of Port Crossing). Prologis acquired Liberty Property Trust in February of 2020.

This project will put into production a tract of land which would attract new businesses, jobs and ultimately additional tax revenue to the City of La Porte. The development team envisions tenants similar to MRC Global and Valvoline (current tenants within the Port Crossing development). The project would be built to a Class A industrial building standard, consisting of structural concrete tilt wall construction.

We have spent the past few years building our relationship with the sellers of the property (Union Pacific Railroad) and are very excited about this specific development opportunity. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Aldo Hernandez", with a stylized flourish at the end.

Aldo Hernandez
Vice President, Project Management
Prologis

SCUP UP Sens Rd Tracts 1-2 Proposed 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. All uses permitted in the City of La Porte Zoning Ordinance Use Chart under LI (Sec. 106-310, Table A "Commercial and Industrial Uses" of the City of La Porte Code of Ordinances) as may be amended from time.
2. Maximum lot coverage shall comply with Sec. 106-522, Table A "Industrial Area Requirements" for LI uses. 3.2. The Total square footage of any single building footprint shall not exceed 750,000 square feet.
3. All surfaces on site intended for parking, drive aisles, or outside storage must be paved with either asphalt or concrete.
4. The following uses/activities shall NOT be permitted on the property:
 - a. Shipping/tank containers, equipment or raw materials stored "off chassis" overnight anywhere on the property unless properly screened.
 - b. Stacking of shipping/tank containers anywhere on the property unless properly screened.
5. The requirements for development will be in accordance with Sec 106-522, Table A "Industrial Area Requirements", of the City of La Porte Code of Ordinances, as may be amended from time to time.
6. The building facade of the building erected on the property will comply with the Tier 3 design guideline requirements of Sec.106-925 of the City of La Porte Code of Ordinances.
7. The truck docks will be designed such that they are screened from view from Hwy 225.
8. The development will meet all guidelines and permitting requirements of the Code of Ordinances of the City of La Porte in effect as of the date of permitting, including all set back requirements.
9. All driving surfaces will be dust free in accordance with City of La Porte Code of Ordinances.
10. On site detention will be provided.
11. Developer shall work with the City to implement improvements to the intersection of N P St. and Sens Road through the completion of a TIA and warrant analysis in order to properly route truck traffic exiting the site in order to deter and attempt to prevent trucks from proceeding south onto Sens Road.

Discussion Item

- a. Street and Alley Closure Requests
- b. Chapter 106 Subcommittee Update
- c. Comprehensive Plan Update
- d. Next Regular Meeting – OCTOBER 13

CITY OF LA PORTE
STREET AND ALLEY CLOSING APPLICATION REQUEST

(Article II – Vacating, Abandoning and Closing Streets and Alleys, Sec. 62-31 through 62-35, Code of Ordinances)

Please complete page 1 of the application packet and return to the Planning & Development Department prior to the application process. Upon receipt, staff will review your request to determine if an application will be accepted by the city.

I. APPLICANT'S CONTACT INFORMATION:

NAME: Oakland Land & Development, LLC PHONE #: 601-442-6648

E-MAIL: oaklandland@gmail.com

MAILING ADDRESS: P. O. Box 952, Natchez, MS 39121

II. APPLICANT'S PROPERTY DESCRIPTION (ADJACENT TO PROPOSED STREET and/or ALLEY CLOSING):

ADDRESS: None assigned

HCAD ID NO. (13-DIGITS): 024 113 063 0001 024 114 064 0001 024 114 066 0001

LEGAL DESCRIPTION (LOT, BLOCK, SUBD.): Lots 1-32 Blk 863, La Porte Lots 1-32 Blk 864, La Porte Lots 1 & 32 Blk 866, La Porte

III. DESCRIPTION OF STREET/ALLEY TO BE VACATED, ABANDONED AND CLOSED:

STREET DESCRIPTION: 1. A portion of the H Street Right of Way between Lots 16 & 17 Blk 863; Lots 1 & 32 Blk 866; Lots 16 & 17 Blk 864, and Lots 1 & 32 Blk 865. A total of 612' east from the intersection of 14th Street.

ALLEY DESCRIPTION: _____

IV. APPLICANT'S STATEMENT OF REASON FOR CLOSING REQUEST:

Oakland Land & Development, LLC owns property on each side of the street to be vacated.

We will be developing a commercial site that will require the inclusion of this property for building and access purposes.

I hereby request to file a Street/Alley Closing Application under the terms of Chapter 62, Article II. "Vacating, Abandoning and Closing Streets and Alleys", Section 62-31, et seq., Code of Ordinances of the City of La Porte.



Applicant's Signature

August 17, 2022

Date of Submission

SAC Request

West H Street

Blocks 863, 864
865, 866

Legend

— WATER MAIN

● SManholes

— SAN SWR MAIN

□ Subject Tract

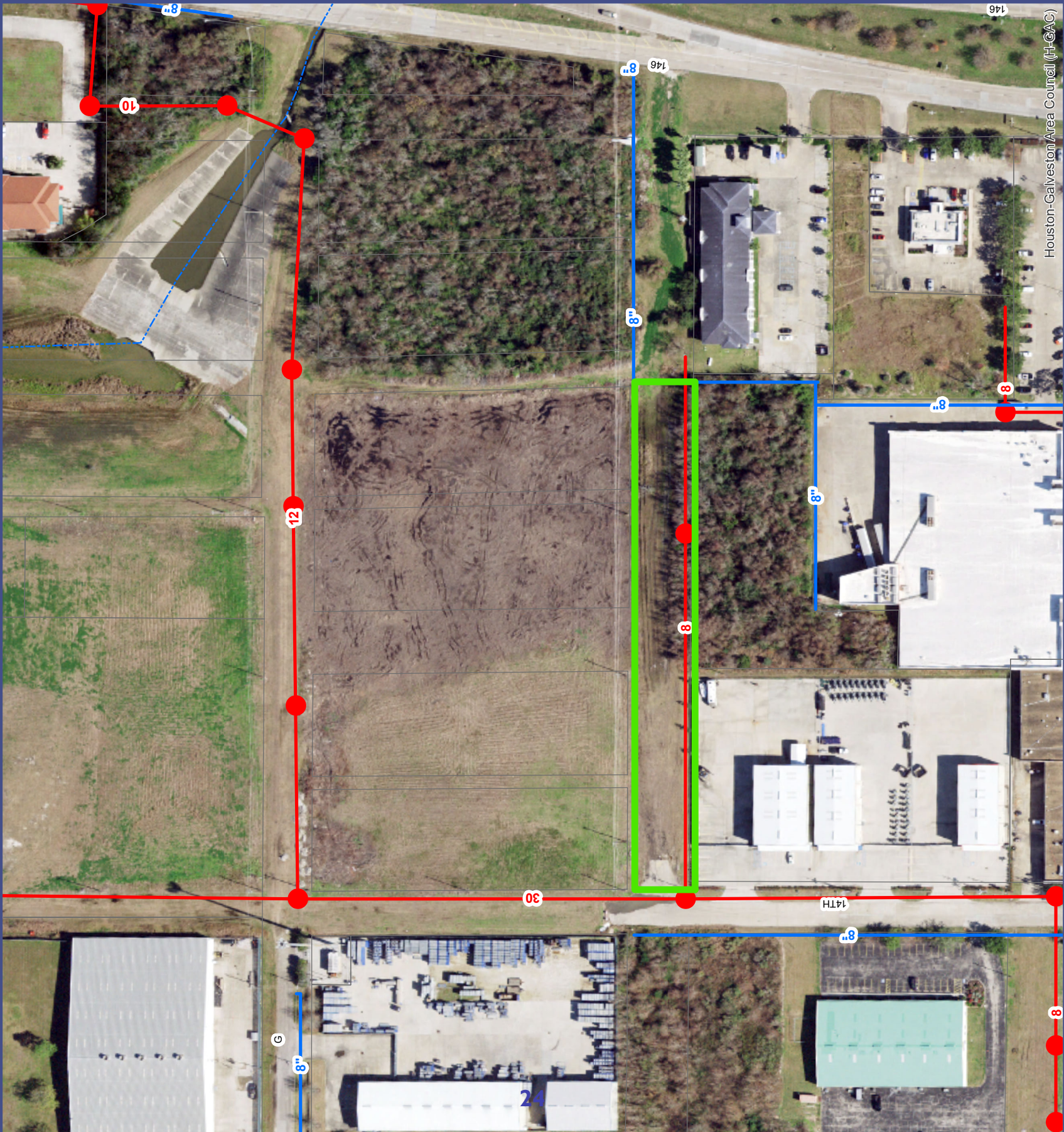


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 151 feet

SEPTEMBER 2022
PLANNING DEPARTMENT



From: [Wingate, Lorenzo](#)
To: [Clowes, Ian](#); [Meekins, Clif](#); [Kerry Lackey](#)
Cc: [Price, Clayton](#); [Mayo, Ray](#)
Subject: RE: Proposed ROW Closure
Date: Tuesday, September 6, 2022 11:22:52 AM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image001.png](#)
[SAC Application Page 1 08.31.2022.pdf](#)
[Exhibit - N. P Street.pdf](#)

Good morning, All.

There is an existing 8" sanitary sewer main, within the W H Street ROW, which serves the Fairway Inn. This hotel/motel, has an estimated daily wastewater flow that is between 2 and 6.5 times more than other commercial sources (ref. TCEQ Table B.1 below). Abandoning this ROW creates a situation in which this high flow user's wastewater service would be provided across/through a private property. Operational and maintenance needs, associated with the high flow user, could potentially impact proposed facilities, operations, activities, etc. within the private property created with the ROW abandonment. Also, the H Street ROW provides access to parcels between S 14th Street and SH 146, which may be inaccessible, if TxDOT does not allow a new street connection from H Street ROW to the SH 146 access road. For these reasons, I would not suggest abandoning the H Street ROW.

CITY OF LA PORTE
STREET AND ALLEY CLOSING APPLICATION REQUEST

(Article II – Vacating, Abandoning and Closing Streets and Alleys, Sec. 62-31 through 62-35, Code of Ordinances)

Please complete page 1 of the application packet and return to the Planning & Development Department prior to the application process. Upon receipt, staff will review your request to determine if an application will be accepted by the city.

I. APPLICANT'S CONTACT INFORMATION:

NAME: Aldo Hernandez PHONE #: 281-685-0518

E-MAIL: ahernandez2@prologis.com

MAILING ADDRESS: 9655 Katy Freeway, Suite 400 | Houston | Texas | 77024

II. APPLICANT'S PROPERTY DESCRIPTION (ADJACENT TO PROPOSED STREET and/or ALLEY CLOSING):

ADDRESS: N/A

HCAD ID NO. (13-DIGITS): Tract 1: 0401770010002 Tract 2: 0231470000904, 0401790000020

LEGAL DESCRIPTION (LOT, BLOCK, SUBD.): Tract 1: TR 2 ABST 5 E BRINSON
Tract 2: LTS 904 905 906 909 910 911 918 919 & 920 & TRS 907 908 & 921 LA PORTE
OUTLOTS, TRS 4 4E & 4F ABST 5 E BRINSON

III. DESCRIPTION OF STREET/ALLEY TO BE VACATED, ABANDONED AND CLOSED:

STREET DESCRIPTION: North P Street from approximately 950 feet east of Sens Road to the existing rail line.

ALLEY DESCRIPTION: N/A

IV. APPLICANT'S STATEMENT OF REASON FOR CLOSING REQUEST:

Acquiring the street will allow control and development of the area and the street has little chance to connect to the east
or cross the railroad tracks.

I hereby request to file a Street/Alley Closing Application under the terms of Chapter 62, Article II. "Vacating, Abandoning and Closing Streets and Alleys", Section 62-31, et seq., Code of Ordinances of the City of La Porte.


Applicant's Signature

8/31/2022

Date of Submission

SAC Request

N. P Street

Legend

- WATER MAIN
- Manholes
- SAN SWR MAIN
- Subject Tract

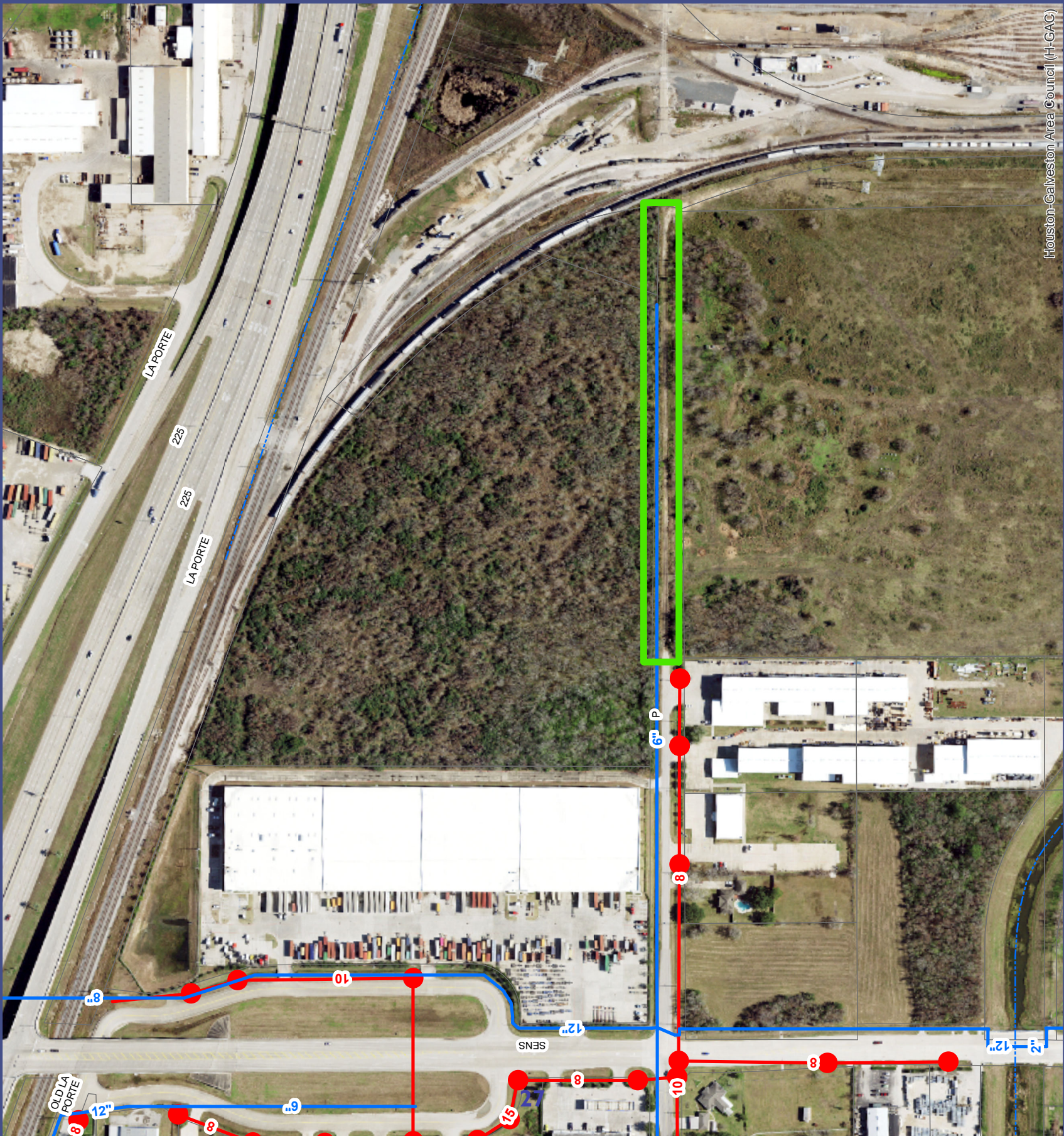


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1 inch = 301 feet

SEPTEMBER 2022
PLANNING DEPARTMENT



From: [Wingate, Lorenzo](#)
To: [Clowes, Ian](#); [Kerry Lackey](#); [Meekins, Clif](#)
Cc: [Price, Clayton](#); [Mayo, Ray](#)
Subject: RE: Proposed ROW Closure - North P Street
Date: Tuesday, September 6, 2022 10:34:29 AM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Good morning, All.

There is an existing water line within the P Street ROW that has been extended, with the apparent intention to connect to the existing water line on the east side of the rail yard, which would loop the water system in this area. The existing large tracts could potentially be subdivided, requiring extensions of public infrastructure (water, sanitary sewer, storm sewer, paving). Without knowing the potential infrastructure needs and having not seen a development concept/plan for the adjacent undeveloped tracts, I would not suggest closing the ROW at this time. More information is needed to provide a fully informed recommendation.



Lorenzo Wingate, P.E., C.F.M.
Assistant Director of Public Works
2963 N 23rd Street | La Porte, TX 77571
p. 281.470.5105 | m. 281.628.3931
[website](#) | [map](#) | [email](#) ☐ ☐ ☐

From: Clowes, Ian
Sent: Friday, September 2, 2022 1:18 PM
To: Wingate, Lorenzo <WingateL@laportetx.gov>; Kerry Lackey <KLackey@cobb fendley.com>; Meekins, Clif <MeekinsC@laportetx.gov>
Cc: Price, Clayton <PriceC@laportetx.gov>
Subject: Proposed ROW Closure - North P Street

See Attached exhibit showing a proposed ROW closure for a portion of N. P Street. Please let me know if you have any objections. This will be going to PZ Commission on September 15th for their input. Thanks.



Ian Clowes | City Planner
604 W. Fairmont Parkway | La Porte, TX 77571
p. 281.470.5063 | c. 832.367.4591
[website](#) | [map](#) | [email](#) ☐ ☐ ☐

From: Clowes, Ian

Sent: Friday, September 2, 2022 1:06 PM

To: Wingate, Lorenzo <WingateL@laportetx.gov>; Meekins, Clif <MeekinsC@laportetx.gov>; Kerry Lackey <KLackey@cobbfindley.com>

Cc: Price, Clayton <PriceC@laportetx.gov>

Subject: Proposed ROW Closure

See Attached exhibit showing a proposed ROW closure for a portion of W. H Street. Please let me know if you have any objections. This will be going to PZ Commission on September 15th for their input. Thanks.



Ian Clowes | **City Planner**

604 W. Fairmont Parkway | La Porte, TX 77571

p. 281.470.5063 | **c.** 832.367.4591

[website](#) | [map](#) | [email](#) ☐ ☐ ☐

PROPOSED Chapter 106 Amendments for CY 2022

Group A – Amendments that are relatively straight forward or are high priority items.

Group B – Amendments that may need more thought and explanation prior to moving forward to City Council.

1. **ISSUE: Typo Sec. 106-946 –**

- a. *Scope.* These provisions shall apply to all new commercial and mixed residential/commercial uses. Single family residential is subject to the provisions of section **106-XXX(f)** (Redevelopment principles for single-family dwellings).

2. **ISSUE: Gas Station Uses 106-310** – Gas Station uses should not be allowed in MS and should be SCUP everywhere else.

2017 NAICS Code	2017 NAICS Title	**	NC	MS	GC	MU	BI	LI	HI
44711	Gasoline Stations with Convenience Stores		C P	P	C P		C P	C P	C P

3. **ISSUE: Battery Storage Farm (BESS)** – Require a SCUP in all zoning districts. Need to determine an appropriate NAICS or state that all unlisted uses require a SCUP.
4. **ISSUE: Vape Shops Sec. 106-310** – Conditional in all currently allowed zones or require same criteria as alcohol sales.
5. **ISSUE: PZ Report to Council Deadline 106-171 (4)** – Extend city council action deadline from 30 days to 60 days

Submission of findings and recommendations to city council. The city planning and zoning commission shall forward its final report consisting of written findings of fact and recommendations to city council within **30** days of the close of the public hearing held in accordance with this section.
6. **ISSUE: Pool Setback Requirements 106-748** – Allow for a pool to be setback three (3) feet from adjacent structure **with a letter from a licensed engineer.**
7. **ISSUE: RV Parks Sec.106-331** – RV Parks are currently an unlisted use in the code even though RV's are allowed in the MH District. The code should reflect that NAICS 721211 RV Parks, is allowed outright in the MH Zoning District
8. **ISSUE: Self-Storage Sec. 106-310** – Boat and RV storage are currently included with mini warehousing and self-storage under NAICS 531 Real Estate and should be separated into individual categories.

		**	NC	MS	GC	MU	BI	LI	HI
531	Real Estate		P	P	P	P	P	P	P
531130	Lessors of Miniwarehouses and Self-Storage Units (Not including Boat and RV Storage)		€	€	€ P	€ P	€ P	P	P
531130	Boat and RV Storage				C	C	C	P	P

9. **ISSUE: Grassed/Dust Free Sec. 106-444 (b) (3)** - The “surface to control dust” requirement can be fairly subjective. Additionally, grassed surfaces are rarely adequate surfaces for outside storage.

(b) *Outdoor storage.* Open and outdoor storage as an accessory or principal use provided that:

- (1) The area is screened from view of neighboring residential uses or an abutting residential district in compliance with [section 106-444\(a\)](#) (Special use performance standards).
- (2) Storage is screened from view from the public right-of-way in compliance with [section 106-444\(a\)](#) (Special use performance standards)
- (3) Storage area ~~is grassed or surfaced to control dust~~ must be paved with either concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment). New technologies in paving materials can be considered and approved at the discretion of the Planning and Development Director or his/her designee.

10. **ISSUE: Parking Space Definition Sec. 106-1** – The current definition for parking space does not specify the type of surfacing material that is required.

Section 106-1

Parking space means a surfaced area, ~~designed to control dust and moisture~~ paved with either concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment), enclosed or unenclosed, sufficient in size to store one automobile together with a surfaced driveway connecting the parking space with the street or alley permitting ingress and egress of an automobile. A parking space or any requisite maneuvering area incidental thereto shall not occupy any public right-of-way. ~~New technologies in parking lot surfacing can be considered and approved at the discretion of the Planning and Development Director or his/her designee.~~

Section 106-835 (f)

Surfacing. All areas for parking space and driveways shall be surfaced with materials suitable to control dust and drainage. ~~Except in the case of single-family and two-family dwellings in the~~

~~Large Lot (LLD) zoning district, &~~ Driveways and stalls shall be surfaced with standard concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment) ~~in conformance with the public improvements criteria manual (PICM),~~ except in the case of single family homes in the Large Lot (LLD) zoning district. For developments in the LLD zoning district, the first forty feet (40') of the driveway from the public right of way is required to be paved using standard concrete, hot-mix asphalt, or chip seal (TxDOT Standard 316 surface treatment). New technologies in parking lot surfacing can be considered and approved at the discretion of the Planning and Development Director or his/her designee.

11. **MSD Residential Sec. 106-948 (f) (2)** – There have been a number of recent challenges lately to which architectural features can be described as pre 1930's.

Current Section of Code:

(f) *Redevelopment principles for single-family dwellings.*

- (1) Homes shall be no more than two stories in height.
- (2) Houses should be designed to incorporate characteristics in pre 1930's residential construction. Colors common during the time should be utilized.
- (3) The primary material (minimum of 90%) shall be brick, stone, stucco, block, wood siding or synthetic wood (such as Hardiplank).
- (4) Sheet metal siding, plywood, and EIFS (Exterior Insulation Finishing System), synthetic stucco, and burglar bars shall not be used.
- (5) Where original doors and/or windows were blocked or covered, those openings should be restored to their original appearance.
- (6) The use of aluminum window frames is prohibited.

Proposed Changes:

- (1) Homes shall be no more than two stories in height.
- (2) Houses should be designed to incorporate characteristics in pre 1930's residential construction. ~~Common characteristic examples would be carpenter gothic features, decorative peak trusses, single or two story porches with pillars or porticos, gable roofs, window shutters, decorative period lighting, etc.~~ Color schemes common during the time should be utilized ~~and are subject to approval by the Planning Director (ex. Contrasting, bold, and earth tones are suggested).~~
- (3) The primary material (minimum of 90%) shall be ~~brick, stone, stucco, block,~~ wood siding or synthetic wood (such as Hardiplank).
- (4) Sheet metal siding, plywood, and EIFS (Exterior Insulation Finishing System), synthetic stucco, aluminum window frames, and burglar bars ~~shall not be used~~ ~~are not permitted~~.
- (5) ~~Where o~~Original doors and/or windows ~~that~~ were blocked or covered, ~~those openings should~~ ~~shall~~ be restored to their original appearance ~~and functionality~~.
- (6) A garage is not required, but there shall be sufficient space reserved for 2 car stalls on the property. If a garage is desired, it shall be detached and offset to either the side or rear yard, adhering to single-family detached area requirements.
- (7) Detached garages must utilize a uniform façade to the primary living structure on the property and cannot exceed a single-story in height.

- (8) Placement of carports anywhere on site is not permitted.
- (9) If a property is utilizing alleyway access to rear-offset garage, the alleyway must be improved to-and-through the property lines and built to City of La Porte specifications.
- (10) The Planning and Development Director or his/her designee shall approve the final design elements.

12. **ISSUE: Multi-tenant Parking Sec. 106-839** – Multi-tenant structures often have many different land uses come and go over the years, making it hard for developers to plan for enough parking.

Sec. 106-838

2017 NAICS Code	2017 NAICS Title	MINIMUM NUMBER OF REQUIRED PARKING SPACES (combination)
N/A	Shopping Center	One space per 200 square feet of gross floor area for shopping centers under 25,000 square feet and one space per 250 square feet of gross floor area for shopping centers that are 25,000 square feet or larger

13. **ISSUE: SCUP vs. CUP** – Chapter 106 refers to Conditional Use Permits (CUP) as well as Special Conditional Use Permits (SCUP) which are functionally the same thing.

Recommendation: Staff recommends changing all references to CUP to SCUP.

Sec. 106-216. - General conditions for all special conditional uses in all zoning districts.

- (a) A special conditional use permit may be granted by the city council for the construction of a building and/or the establishment of a use as described in this or any other section, upon a tract of land in single ownership or under unified control.

Sec. 106-659. - Special regulations and procedures.

- (a) *Procedure for establishing or developing a planned unit development district development.*
 - (1) An application for a special conditional use permit shall be filed and processed based upon procedures established by sections [106-216](#) (General conditions for all special conditional uses in all zoning districts), [106-217](#) (Conditions for approval), and [106-218](#) (Amendments).
 - (2) An application for a general plan shall be filed and processed simultaneously with the special conditional use permit and shall be subject to the requirements of this chapter and the City Development Ordinance Number 1444 on file in the city secretary's office.