

**HAL LAWLER**  
Chairman  
**DONNA O'CONNER**  
Commissioner At Large A  
**JOE MOCK**  
Commissioner At Large B  
**WAYNE LANDIN**  
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, DECEMBER 21, 2023  
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/82258318907?pwd=dFNDZ1Z2eXBreENuRjVxUkpqWFdzZz09> Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 822 5831 8907. The passcode is 683150.**

Persons with disabilities who plan to attend this meeting 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 November 16, 2023, regular meeting of the La Porte Planning and Zoning Commission.
  - 4. MAJOR DEVELOPMENT SITE PLAN #23-83000003:** Consider approval of Major Development Site Plan #23-83000003, Sulzer Turbo Services, for a building expansion of approximately 5,250 square feet for a total of 40,156 square feet, situated on an existing 38.92-acre tract of land located at 11518 Old La Porte Road, La Porte, Texas.
  - 5. ZONE CHANGE REQUEST #23-92000002:** The Commission will hold a public hearing for Zone Change Request #23-92000002, pursuant to an application from Jerry Medders, Medders Construction Company, Inc., owner, for approval of a zone change from Low-Density Residential (R-1) to General Commercial (GC) on a 0.137-acre tract of land located at 2121 Broadway St., La Porte, Texas, and 1706 S. Broadway St., La Porte, Texas, and legally described as Tracts 24 and 25, Block 1446, La Porte, Harris County, Texas.
    - a. Open Public Hearing
    - b. Staff Presentation
    - c. Applicant Presentation
    - d. Public Comments (Limited to 5 minutes per person)
    - e. Adjourn Public Hearing
    - f. Discussion and Possible Action: Zone Change Request #23-92000002
  - 6. 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 Plan Map component of the La Porte Comprehensive Plan by amending the future land use designation for a 0.137-acre tract of land located at 2121 Broadway St. La Porte, Texas, and 1706 S. Broadway St. La Porte, Texas, and legally

described as Tracts 24 and 25, Block 1446, La Porte, Harris County, Texas, from “Low-Density Residential to “Commercial.”

**7. ADMINISTRATIVE REPORTS:**

- a. Next Regular Meeting- January 18, 2024

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

**9. 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 at 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 **December 21, 2023**, Planning and Zoning Commission agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the 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 \_\_\_\_\_



## **AGENDA ITEM #3**

# **Approval of Meeting Minutes**

**November 16, 2023**

**HAL LAWLER**  
Chairman  
**DONNA O'CONNER**  
Commissioner At Large A  
**JOE MOCK**  
Commissioner At Large B  
**WAYNE LANDIN**  
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

## **MINUTES OF THE SPECIAL MEETING OF THE LA PORTE PLANNING AND ZONING COMMISSION NOVEMBER 16, 2023**

**The Planning and Zoning Commission of the City of La Porte met in a special meeting on Thursday, November 16, 2023, 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 Donna O'Conner, Joe Mock; Wayne Landin; Richard Warren; James Walter; Mark Follis; Victor Peres; Nancy Ojeda.

**Commissioners absent:** none.

**City Staff present:** Teresa Evans, Planning and Development Director; Johnna Matthews, Planning Manager, Maria Pena, Planning and Development Dept. Coordinator; and Clark Askins, City Attorney.

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

**2. ROLL CALL OF MEMBERS** – Commissioner Victor Peres arrived at 6:10 p.m.

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

**a.** Approve the minutes of the meeting held on October 19, 2023.

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

**4. CONSIDERATION AND POSSIBLE ACTION:** Consider approval of an extension of time for Special Conditional Use Permit (SCUP) Request #21-91000006, a request by Tammy Millstid of C.M. Millstid properties LLC., applicant and owner, for approval of a SCUP to allow for Business Industrial (BI) uses in the Planned Unit Development (PUD) zoning district on a 3.38 acre tract of land located at 11007 W Fairmont Pkwy., legally described as Tract 1H, abstract 625 R Pearsall Survey, Harris County, Texas.

Director of Planning and Development Teresa Evans presented the Special Conditional Use Permit #21-91000006 to consider approval of an extension of the time.

Commissioner Ojeda made a motion to approve the extension of Special Conditional Use Permit #21-91000006 of property located at 11007 W Fairmont Pkwy. Second by Commissioner Walter. The motion was adopted 8-0.



- 5. SCUP REQUEST #23-91000003:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #23-91000003, pursuant to an application by John B Cutrer of City Street GP, LLC, applicant, on behalf of CSBP Land Investment, LP, property owner, to approve an amendment to SCUP #19-91000005 to allow for the development of up to 300 apartment units in the Planned Unit Development (PUD) zoning district, on a 9.02-acre tract of land located at 0 Bay Area Boulevard, legally described as Reserved C, Block 1, Bay Area 28, Harris County, Texas.

The public hearing was opened at 6:12 p.m.

Director of Planning and Development Teresa Evans presented and provided proposed conditions for SCUP Request #23-91000003 to approve an amendment of SCUP #19-91000005 to allow the development of up to 300 apartment units in the Planned Unit Development (PUD) zoning district.

John Contreras, the applicant, presented information on the proposed SCUP Request.

Peggy Antone, 2515 Crescent Dr. La Porte spoke in opposition to the proposed SCUP request.

Andrew McKenny, 408 Wirerman Lagoon, La Porte spoke in opposition to the proposed SCUP request.

Jose Molina, spoke in opposition to the SCUP request.

Bobby Sherfield, 627 Beachman Shore Lane, Morgans Landing spoke in opposition to the SCUP request.

Samantha Garza, 3300 Bay Area Blvd., La Porte TX 77571, Assistant Community Manager for Morgans Landing Apartments spoke in opposition to the SCUP request.

Paul Grohman, 1925 Pearland Pkwy. Pearland TX spoke in favor of the SCUP request.

Commissioner O'Conner made a motion to deny the SCUP Permit #23-91000003. The motion was seconded by Commissioner Follis and the motion was adopted 7-2.

The Public Hearing was adjourned at 7:30 p.m.

- 6. SCUP REQUEST #23-91000004:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #23-91000004, pursuant to an application by Sophia Fiful of GardenBure Development, LLC on behalf of 92 Fairmont Lakes, Inc. property owner, to approve SCUP #23-91000004 to allow for the development of residential and commercial uses, on a 56.7-acre tract of land and Wharton Weems Blvd., legally described as Lots 1-32, Blk 1267 & Tract 33, La Porte Subdivision; Tract 1M, Abstract 35, J. Hunter Survey; and Tract 5 and 5L, abstract 30, W.P. Harris Survey, Harris County, Texas.

The public hearing was opened at 7:33 p.m.

Director of Planning and Development Teresa Evans presented the proposed SCUP request #23-91000004.

The applicant provided additional information to SCUP request #23-9100004.

Peggy Antone, 2515 Cresent Drive, La Porte spoke in opposition to the SCUP request.

Mercy Estrada, Lake Fairmont Greens spoke in opposition to the SCUP request.

Holly Monroe, represents the HOA at Fairmont Greens spoke in opposition to the SCUP request.

Sophia Fiful, the applicant, provided additional information to the SCUP request.

Commissioner Follis made a motion to table the SCUP request to make the recommended changes. The motion was seconded by Commissioner Peres and the motion was adopted 9-0.

## **7. ADMINISTRATIVE REPORTS:**

- a. City Council Action Update
- b. Next Regular Meeting – December 21, 2023.

## **8. Commission Comments:**

Comments on matters appearing on the agenda or inquiries of staff regarding specific information or existing policy.

New Board Member Wayne Landin.

**ADJOURN:** Chairman Lawler made the motion to adjourn at 9:05 p.m.; the motion was adopted 9-0.

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Hal Lawler, Planning and Zoning Commission Chairman

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Maria Pena, Planning and Development Dept. Coordinator



## **AGENDA ITEM #4**

# **Major Development Site Plan**

**#23-83000003**

## Planning and Development Department Staff Report Major Development Site Plan - #23-83000003

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### DISCUSSION

#### Applicant's Request:

The applicant is seeking approval of a Major Development Site Plan to allow for the expansion of Building 10 to include an additional 5,250 square feet for a total of 40,156 square feet proposed for Building 10 on an existing 38.92-acre site located at 11518 Old La Porte Road in the City of La Porte, Texas.

#### Background Information:

The subject property is zoned Light Industrial (LI) and is developed with an industrial complex owned by Sulzer Turbo Services. According to the NAICS Code (333611, Turbine and Turbine Generator Set Units Manufacturing) provided by the applicant, the business is primarily engaged in manufacturing turbines and turbine generator set units, such as steam, hydraulic, gas and wind. The industrial complex includes multiple buildings and associated parking spaces. The proposed expansion will include a 5,250-square-foot addition to Building 10.

The table below indicates the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Light Industrial (LI)	SH 225
<b>South</b>	Large Lot Residential Light Industrial Low Density Residential	Single-family homes Texas Electric Equipment Co. Inc.
<b>West</b>	Light Industrial (LI)	Exxon Pipeline
<b>East</b>	Light Industrial (LI)	Sens Rd.

### RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the major development site plan #23-83000003 for Sulzer Turbo Services.

### ATTACHMENTS

- Aerial Map
- Sulzer Turbo Services Site Plan
- Application





# Aerial Map

11518 Old La Porte Rd

Parcel Number: 0642220000018

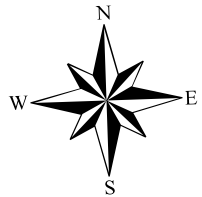
Case #: 23-83000003

 Subject Tract



**This product is for informational purposes only 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 the property boundaries.**

1 inch equals 299 feet



DECEMBER 2023  
PLANNING DEPARTMENT



REV	DATE	BY	DESCRIPTION

DRAWN BY  
FER

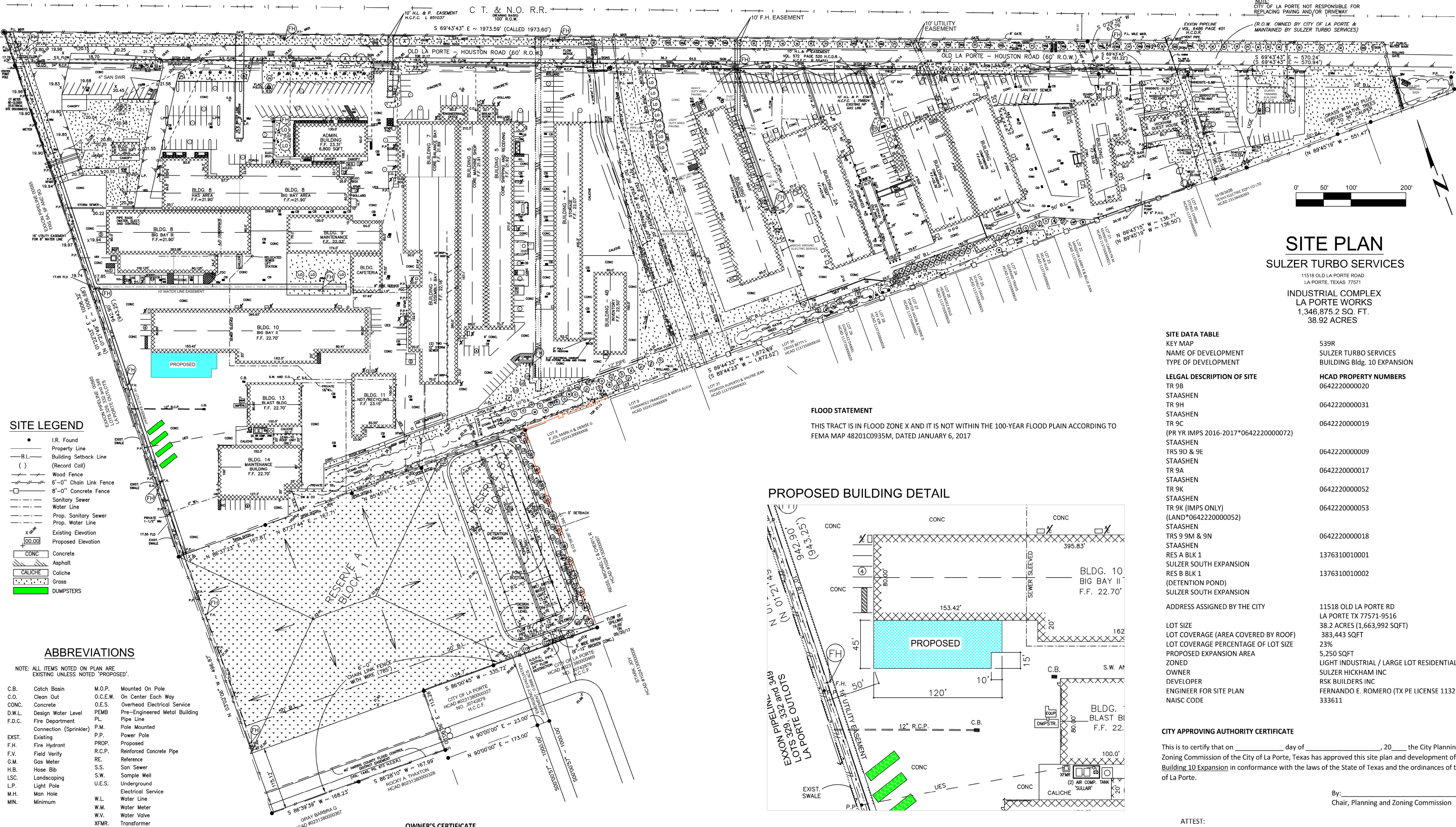
CHECKED BY  
AA

DATE  
2023-12-14

JOB NO  
-----

DRAWING NO

S-1



## SITE PLAN

### SULZER TURBO SERVICES

11518 OLD LA PORTE ROAD  
LA PORTE, TEXAS 77571

INDUSTRIAL COMPLEX  
LA PORTE WORKS  
1,346,875.2 SQ. FT.  
38.92 ACRES

#### SITE DATA TABLE

KEY MAP  
NAME OF DEVELOPMENT  
TYPE OF DEVELOPMENT

539R  
SULZER TURBO SERVICES  
BUILDING Bldg. 10 EXPANSION

#### LEGAL DESCRIPTION OF SITE

TR 9B  
STAASHEN  
TR 9H  
STAASHEN  
TR 9C  
(PR YR IMPS 2016-2017\*0642220000072)  
STAASHEN  
TRS 9D & 9E  
STAASHEN  
TR 9A  
STAASHEN  
TR 9K  
STAASHEN  
TR 9K (IMPS ONLY)  
(LAND\*06422200000052)  
STAASHEN  
TRS 9 9M & 9N  
STAASHEN  
RES A BLK 1  
SULZER SOUTH EXPANSION  
RES B BLK 1  
(DETENTION POND)  
SULZER SOUTH EXPANSION

#### HCAD PROPERTY NUMBERS

0642220000020

0642220000031

0642220000019

0642220000009

0642220000017

0642220000052

0642220000053

0642220000018

1376310010001

1376310010002

#### ADDRESS ASSIGNED BY THE CITY

11518 OLD LA PORTE RD  
LA PORTE TX 77571-9516  
38.2 ACRES (1,663,992 SQFT)  
383,443 SQFT  
23%  
5,250 SQFT  
LIGHT INDUSTRIAL / LARGE LOT RESIDENTIAL  
SULZER HICKHAM INC  
RSK BUILDERS INC  
FERNANDO E. ROMERO (TX PE LICENSE 113253)  
333611

#### CITY APPROVING AUTHORITY CERTIFICATE

This is to certify that on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of Building 10 Expansion in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

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

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

By: \_\_\_\_\_  
City Planner

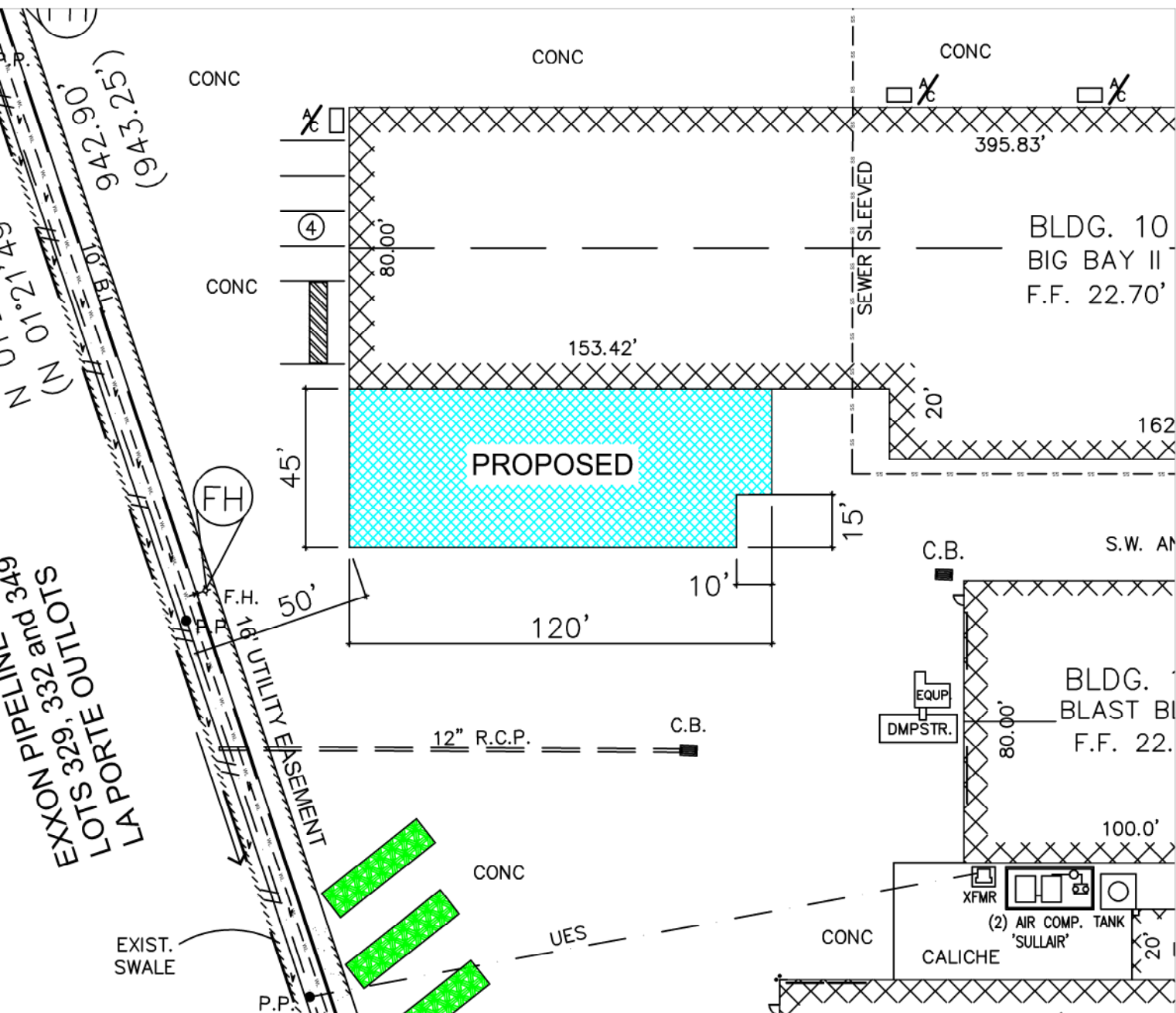
By: \_\_\_\_\_  
City Engineer

ATTEST:  
By: \_\_\_\_\_  
Secretary, Planning and Zoning Commission

#### FLOOD STATEMENT

THIS TRACT IS IN FLOOD ZONE X AND IT IS NOT WITHIN THE 100-YEAR FLOOD PLAIN ACCORDING TO FEMA MAP 48201C0935M, DATED JANUARY 6, 2017

#### PROPOSED BUILDING DETAIL



PARKING TABLE  
PER ARTICLE VI OF CHAPTER 106-839 OF LA PORTE  
CITY CODE ORDINANCE  
PARKING SPACES REQUIRED 510  
PARKING SPACES PROVIDED 552

PER 2012 TAS 208.2  
ACCESSIBLE PARKING SPACES REQUIRED 11  
ACCESSIBLE PARKING SPACES PROVIDED 11

#### OWNER'S CERTIFICATE

We, Sulzer Hickham Inc., as owners of the 37.6 acre tract described in the above and foregoing site plan of the Building 10 Expansion do hereby establish said development of said property according to all lines, dedications, restrictions and notations on said site plan. We further certify that all improvements shown on said site plan shall be constructed in the locations shown.

In TESTIMONY WHEREOF, Sulzer Hickham Inc., has caused these presents to be signed by Fernando Romero - VP of Engineering thereunto authorized, attested by Alan Atkinson - VP of Operations (both authorized officers), and its common seal hereunto affixed by this 13<sup>th</sup> of November 2023.

By: \_\_\_\_\_  
Fernando Romero  
VP of Engineering  
Sulzer Hickham Inc

By: \_\_\_\_\_  
Alan Atkinson  
VP of Operations  
Sulzer Hickham Inc

#### VICINITY MAP





OWNER:

SEAL



DESCRIPTION

BY

DATE

REV

DRAWN BY

FER

CHECKED BY

AA

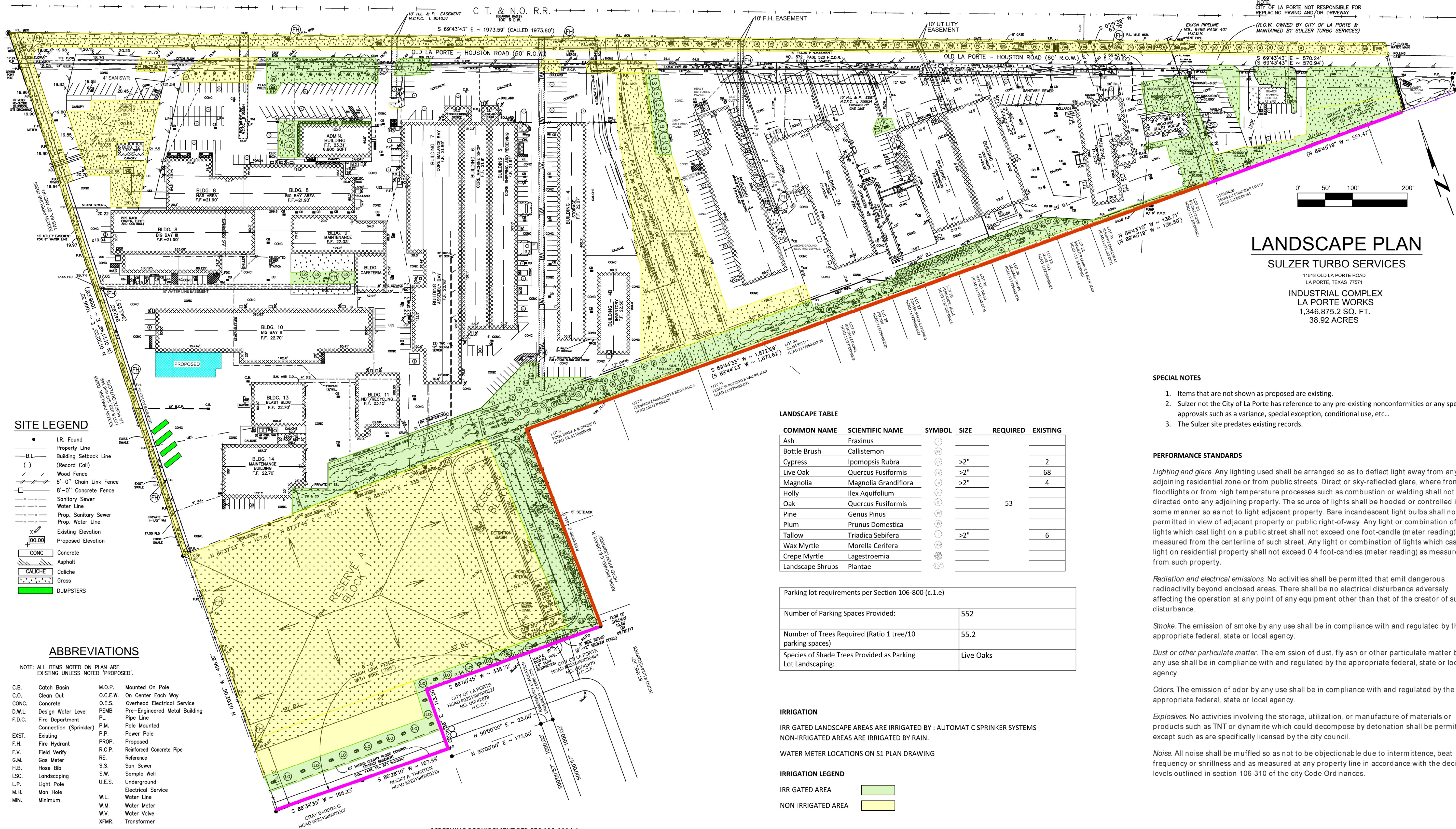
DATE

2023-12-14

JOB NO

DRAWING NO

S-2



## LANDSCAPE PLAN

SULZER TURBO SERVICES

11518 OLD LA PORTE ROAD  
LA PORTE, TEXAS 77571

INDUSTRIAL COMPLEX  
LA PORTE WORKS  
1,346,875.2 SQ. FT.  
38.92 ACRES

### SPECIAL NOTES

- Items that are not shown as proposed are existing.
- Sulzer not the City of La Porte has reference to any pre-existing nonconformities or any special approvals such as a variance, special exception, conditional use, etc...
- The Sulzer site predates existing records.

### PERFORMANCE STANDARDS

**Lighting and glare.** Any lighting used shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed onto any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights which casts light on residential property shall not exceed 0.4 foot-candles (meter reading) as measured from such property.

**Radiation and electrical emissions.** No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

**Smoke.** The emission of smoke by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

**Dust or other particulate matter.** The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

**Odors.** The emission of odor by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

**Explosives.** No activities involving the storage, utilization, or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except such as are specifically licensed by the city council.

**Noise.** All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line in accordance with the decibel levels outlined in section 106-310 of the city Code Ordinances.

### LANDSCAPE TABLE

COMMON NAME	SCIENTIFIC NAME	SYMBOL	SIZE	REQUIRED	EXISTING
Ash	Fraxinus	(A)			
Bottle Brush	Callistemon	(BB)			
Cypress	Ipomopsis Rubra	(C)	>2"		2
Live Oak	Quercus Fusiformis	(LO)	>2"		68
Magnolia	Magnolia Grandiflora	(M)	>2"		4
Holly	Ilex Aquifolium	(H)			
Oak	Quercus Fusiformis	(O)		53	
Pine	Genus Pinus	(P)			
Plum	Prunus Domestica	(PL)			
Tallow	Triadica Sebifera	(T)	>2"		6
Wax Myrtle	Morella Cerifera	(WM)			
Crepe Myrtle	Lagerstroemia	(CM)			
Landscape Shrubs	Plantae	(S)			

Parking lot requirements per Section 106-800 (c.1.e)

Number of Parking Spaces Provided:	552
Number of Trees Required (Ratio 1 tree/10 parking spaces)	55.2
Species of Shade Trees Provided as Parking Lot Landscaping:	Live Oaks

### IRRIGATION

IRRIGATED LANDSCAPE AREAS ARE IRRIGATED BY: AUTOMATIC SPRINKLER SYSTEMS  
NON-IRRIGATED AREAS ARE IRRIGATED BY RAIN.

WATER METER LOCATIONS ON S1 PLAN DRAWING

### IRRIGATION LEGEND

IRRIGATED AREA	
NON-IRRIGATED AREA	

### SITE LEGEND

●	I.R. Found
—	Property Line
— B.L.	Building Setback Line (Record Call)
( )	Wood Fence
—	6"-0" Chain Link Fence
—	8"-0" Concrete Fence
—	Sanitary Sewer
—	Water Line
—	Prop. Sanitary Sewer
—	Prop. Water Line
X 00.00	Existing Elevation
00.00	Proposed Elevation
CONC	Concrete
ASPH	Asphalt
CAULCH	Caliche
GRASS	Grass
DUMPSTERS	DUMPSTERS

### ABBREVIATIONS

NOTE: ALL ITEMS NOTED ON PLAN ARE EXISTING UNLESS NOTED "PROPOSED".

C.B.	Catch Basin	M.O.P.	Mounted On Pole
C.O.	Clean Out	O.C.E.W.	On Center Each Way
CONC.	Concrete	O.E.S.	Overhead Electrical Service
D.W.L.	Design Water Level	P.E.M.B.	Pre-Engineered Metal Building
F.D.C.	Fire Department Connection (Sprinkler)	PL	Pipe Line
EXST.	Existing	P.M.	Pole Mounted
F.H.	Fire Hydrant	P.P.	Power Pole
F.V.	Field Verify	PROP.	Proposed
G.M.	Gas Meter	R.C.P.	Reinforced Concrete Pipe
H.B.	Hose Bib	RE.	Reference
LSC.	Landscaping	S.S.	San Sewer
L.P.	Light Pole	S.W.	Sample Well
M.H.	Man Hole	U.E.S.	Underground Electrical Service
MIN.	Minimum	W.L.	Water Line
		W.M.	Water Meter
		W.V.	Water Valve
		XFMR.	Transformer

### SCREENING REQUIREMENT PER SEC 106-444 (a)

USING COMBINATION OF LANDSCAPE AND FENCE

- LANDSCAPE
  - MINIMUM 4' WIDE STRIP
  - COMBINATION OF TREES AND SHRUBS
- FENCE
  - MINIMUM 4' WIDE STRIP
  - MINIMUM 6' HIGH
    - MASONRY
    - CHAIN LINK WITH PRIVACY PANELS





# Major Development Site Plan Application

Planning and Development Department

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

## OVERVIEW

A site plan is required for all development in the city in accordance with the requirements of Section 106-236 of the city's Code of Ordinances. A Major Development Site Plan is applicable to all development projects on sites greater than ten (10) acres in area. Any person desiring to improve property shall submit a site plan showing design specifications for any proposed development as well as existing conditions. All development is required to be in compliance with Chapter 106 (Zoning) of the city's Code of Ordinances and all other applicable requirements. A Site Plan must be reviewed by staff and approved by the Planning and Zoning Commission before a permit can be issued and commencement of construction on a site may occur. The following is a list of exemptions from the requirement of a Site Plan:

- (1) Residential construction.
- (2) Small awning and routine maintenance (including but not limited to parking lot, pavement, and building addition of less than 200 square feet if approved by director of planning and development) after review of a previous certified site plan and they find no indication that the improvement would violate the provisions of the Zoning Ordinance.
- (3) If a previously approved site plan that is older than one year from the date of approval by the city, a letter with seal and signature from the engineer of record is required to ensure compliance with existing regulations.
- (4) When the scope of commercial/industrial construction consists of modifications of an existing internal structure only.

## SUBMITTAL REQUIREMENTS

The following application package must be submitted to the Planning and Development Department to commence review. Submittals must be electronic and can either be emailed directly to staff or submitted on CD or thumb drive.

- ☒ **Completed Application Form.**
- ☒ **Application Fee** of \$300 up to 10 acres + \$5 for each additional acre; nonrefundable.
- ☒ **Project Description Letter** that summarizes the proposed development.
- ☒ **Site Plan**, that includes all information required in the attached *Site Plan Checklist*. Site plan shall be no more than 1-3 pages and submitted via electronic format. Site plans must be prepared and stamped by a licensed engineer or surveyor.
- ☐ **Exterior Elevations** if the site is subject to the city's Design Guidelines (Chapter 106, Article IX of the Code of Ordinances). N/A
- ☐ **Traffic Impact Analysis**, if required by City Engineer. N/A
- ☐ **Drainage Plan and/or Calculations** in accordance with the city's Public Improvement Criteria Manual (PICM) and any applicable requirements of Harris County and/or TXDOT. N/A
- ☐ **Harris County or TXDOT Right-of-way or Drainage Permits.** N/A





# Major Development Site Plan Application

Planning and Development Department

## PROCESS

- Prior to submittal of a Site Development Plan, you are encouraged, but not required, to schedule a Predevelopment Applicant Consultation (PAC) meeting. Contact the Planning Division to schedule a PAC meeting at 281-470-5057.
- A Major Development Site Plan is reviewed administratively by staff, but must be approved by the Planning and Zoning Commission prior to the issuance of any building permits for construction.
- Upon receipt of a complete application package by the Planning and Development Department, the Site Plan submittal will be referred to the various city departments for review, including Planning, Building, Engineering, Public Works, Fire Marshal, and any other agent/department deemed necessary.
- The Planning and Development Department will compile all comments from the various city departments and provide a review letter within ten (10) business days of submittal. If a resubmittal is required, another referral to the various city departments is required and a review letter will be provided within ten (10) business days of the resubmittal.
- Upon approval of the Site Plan by the Planning and Zoning Commission, you will be required to submit a final executed Site Plan, stamped by a licensed engineer or surveyor, on mylar in 24"x36" format, for signature.
- Once signed, the site plan will be forwarded to the city's Building Division. Only after the site plan is approved and signed can the Building Division release any building permit to commence construction. However, construction drawings may be submitted to the Building Division at any time for review during the Site Plan process.
- At completion of construction of the proposed development and before a Certificate of Occupancy may be issued, a final inspection of all improvements must be completed by City Inspectors. However, the developer shall have the option to utilize a third-party Engineer in place of the City Inspectors to certify that all improvements have been installed in accordance with the approved Site Plan.
- An approved Development Site Plan is valid for one (1) year from the date approved by the city.

## CODE REQUIREMENTS

Section 86-7 (Development Regulations) of the city's Code of Ordinance contains all of the requirements for submittal and review of Site Development Plans.

Chapter 106 (Zoning) of the city's Code of Ordinances outlines various zoning related requirements including but not limited to setbacks, height, landscaping, parking, curb and driveway criteria, fencing, and design guidelines.

*These requirements can be found at [www.municode.com](http://www.municode.com).*



# Major Development Site Plan Application

Planning and Development Department

## PROJECT INFORMATION

Property address, if known: 11518 Old Laporte Rd Laporte, TX 77571

Legal description of site: TRS 9 9 M & 9N Staashen TR 9 K Staashen

HCAD Parcel Number/s of site: 0642220000052

Zoning District: Industrial

Lot area: 29.0543 AC or 1,265,605.87 sf

Attach to this application a Project Description Letter that describes in detail the proposed development.

## PROPERTY OWNER(S) INFORMATION

Name: SULZER HICKHAM INC

Company (if applicable): SULZER HICKHAM INC

Address: 11518 Old Laporte Rd

City: Laporte,

State: TX

Zip: 77571

Phone:

Email:

## AUTHORIZED AGENT (If other than owner)

Name: Ryan Sweezy

Company (if applicable):

Address:

City:

State:

Zip:

Phone: 281-380-3669

Email: sweezy66@hotmail.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: 09/01/23

Owner(s)' Signature(s):

Date: 09/01/23

## STAFF USE ONLY:

Case Number:

23-83000003

Date Application Received:

09/11/2023



# Major Development Site Plan Application

Planning and Development Department

## Site Plan Checklist

The following checklist is intended to provide basic standards for Site Plan submittals. Please note that there may be additional comments and requirements following staff review of the Site Plan submittal. All Major Development Site Plan submittals shall contain the following information:

<input checked="" type="checkbox"/>	Format: 24"x36". Maximum of 1-3 sheets: AS AN EXAMPLE – Page 1 can contain Site Plan, Landscaping, Data Table, Signatures, etc.; Page 2 can contain Grading, Drainage, Utilities, etc.; Page 3 can contain Building Elevations, when required.
<input checked="" type="checkbox"/>	Scale: In Engineering Format
<input checked="" type="checkbox"/>	North arrow.
<input checked="" type="checkbox"/>	Vicinity Map that shows relation of the development to surrounding streets, railroads, and water courses.
<input checked="" type="checkbox"/>	Include the filing date of the Site Plan.
<input checked="" type="checkbox"/>	Perimeter boundary of site including dimensions, property corners, etc. Also include legal bearings and distances for all property lines.
<input checked="" type="checkbox"/>	Site Data Table: Must include the following – <ol style="list-style-type: none"><li>1. Name of development. Addition to Existing Building</li><li>2. Type of development.</li><li>3. Legal description of the site.</li><li>4. Address of site as assigned by the City.</li><li>5. Size of lot/property, building, and lot coverage percentage.</li><li>6. Zoning of the site.</li><li>7. Name of owner or authorized representative.</li><li>8. Name of developer and engineer.</li><li>9. Harris County Appraisal District property number/s.</li><li>10. North American Industry Classification System number for use of the property.</li><li>11. Square footage of site proposed to be developed (include all improvements)</li></ol>
<input type="checkbox"/>	Include all easements on site.
<input checked="" type="checkbox"/>	Indicate name, location and recording information for adjacent properties, developments, streets (including rights-of-way, vacated streets or alleys, easements, water courses, acreage tracts, and other natural or manmade features).
<input type="checkbox"/>	Flood Statement: N/A This tract is in Flood Zone _____ and [is/is not] within the 100-year Flood Plain according to FEMA Map # _____, Dated _____.
<input checked="" type="checkbox"/>	Building Footprint: Include the footprints of all buildings on site (proposed vs. existing) and show distances to property lines. See attached Site Plan
<input checked="" type="checkbox"/>	Setbacks: Show all building setback lines and label the shortest distances from each building to the nearest property line. See attached Site Plan



# Major Development Site Plan Application

Planning and Development Department

X

## Owners Certificate:

I (or we), (name of owners), as Owners (whether one or more) of the (number of acres) tract described in the above and foregoing site plan of (Name of development) do hereby establish said development of said property according to all lines, dedications, restrictions and notations on said site plan. I (We) further certify that all improvements shown on said site plan shall be constructed in the locations shown.

### ADDITIONAL PARAGRAPHS TO BE ADDED AS APPROPRIATE

When development contains natural drainage ways such as bayous, creeks, gullies, ravines, draws or drainage ditches:

FURTHER, Owners agree to keep all of the property within the boundaries of this site plan and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

### When private streets and utilities are established within the site plan:

FURTHER, Owners agree that those streets and utilities located within the boundaries of this site plan specifically noted as private, shall be maintained as private streets and utilities by the owners, heirs, successors and assigns and, further, that said private streets shall always be available for the general use of the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times.

*When owner is an individual or individuals*

WITNESS my (or our) hand in the City of La Porte, this 5 day of Sept

2023.

Timothy Ferguson Timothy Ferguson  
(Name of Owner/s)

*When owner is a company or corporation*

In TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed by this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

(Name – President of Authorized Agent)

(Name of Company)

(Title)

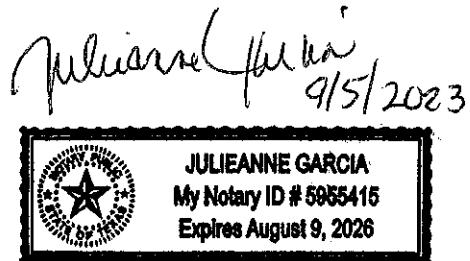
ATTEST:

By: \_\_\_\_\_

Name – Secretary or Authorized Trust Officer)

(Title)

(Affix Corporate Seal)





# Major Development Site Plan Application

Planning and Development Department

☐

## City Approving Authority Certificate:

This is to certify that on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of \_\_\_\_\_ (Name of Development) \_\_\_\_\_ in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

By: \_\_\_\_\_

Chair, Planning and Zoning Commission

ATTEST:

By: \_\_\_\_\_

Secretary, Planning and Zoning Commission

By: \_\_\_\_\_

Director, Planning and Development

City Planner

City Engineer

☒

Parking: Standard size is 9'x18' with 25' drive aisles. Parking requirements are outlined in Article VI of Chapter 106 of the city's Code of Ordinances. Accessible parking required in accordance with ADA/Texas Accessibility Standards. Include parking table:

Parking Table	
Parking Spaces Required (Include parking ratio from Section 106-839):	12
Parking Spaces Provided:	12
Accessible Parking Spaces Required:	1
Accessible Parking Spaces Provided:	1

☐

N/A

Driveway Access: Harris County or TXDOT approval is required for all access onto public roadways maintained by said organization. All access points are still required to comply with the city's minimum requirements outlined in Section 106-835, Figures 10-2 and 10-3. Label driveways with all applicable requirements. Include a note on the site plan that calls out the slope of the driveway approach (max. 5%).

☐

Residential Buffering: When a proposed development is located adjacent to a residentially zoned property, buffering is required in accordance with Section 106-444(a). The buffering option selected shall be clearly labeled on the site plan.

☐

N/A

Irrigation: Identify method of irrigation of proposed landscaping. If utilizing an automatic sprinkler system, show location of proposed irrigation tap and meter on the site plan and include a note requiring landscaping to be irrigated by such system. If the intent is to utilize drought-tolerant landscaping in-lieu-of an automatic irrigation system, then the site plan application will need to include the proposed species and what category they are on the Texas A&M University's Water Wise Plant List. Additionally, if this option is selected, then a note must be included on the site plan that requires the landscaping to be manually irrigated until established. On sites less than one (1) acre, the use of a programmable hose bib system is allowed only if the plant material is within 100 feet of the hose bib.



# Major Development Site Plan Application

Planning and Development Department

☐

N/A

**Performance Standards:** The footnotes in Section 106-310 contain a number of performance standards required for all commercial and industrial development. The following notes must be included on the site plan:

*Lighting and glare.* Any lighting used shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed onto any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one footcandle (meter reading) as measured from the centerline of such street. Any light or combination of lights which casts light on residential property shall not exceed 0.4 footcandles (meter reading) as measured from such property.

*Radiation and electrical emissions.* No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

*Smoke.* The emission of smoke by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

*Dust or other particulate matter.* The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

*Odors.* The emission of odor by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

*Explosives.* No activities involving the storage, utilization, or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except such as are specifically licensed by the city council.

*Noise.* All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line in accordance with the decibel levels outlined in Section 106-310 of the city Code of Ordinances.

☐

**Outdoor storage:** Outdoor storage is permitted provided that the area is screened from view of any neighboring residential use and adjacent right-of-way and the surfacing must be a dust free material. The location of any outdoor storage area should be identified on the site plan.

☒

**Special Notes:** Include a note on the site plan referencing any pre-existing nonconformities or any special approvals such as a variance, special exception, conditional use, etc. See Site Plan



# **AGENDA ITEM #5**

## **Zone Change Request**

### **#23-92000002**



## Planning and Development Department Staff Report Zone Change Request - #23-92000002

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### DISCUSSION

#### **Location:**

The subject property is located at 1706 S. Broadway Street and 2121 S. Broadway Street in the City of La Porte, Texas.

#### **Legal Description:**

Tracts 24 and 25, Block 1446, La Porte, Harris County, Texas

#### **Background Information:**

The applicant is requesting to rezone the subject property from Low-Density Residential (R-1) to General Commercial (GC). According to the applicant, the purpose of the change in zoning request is to allow the existing building to be used for automotive repair and maintenance (NAICS Code 8111). However, it is important to note that if the change in zoning to GC is approved, any uses permitted in GC would be permitted on the property. Permitted uses would include various uses from each of the non-residential land use categories including certain manufacturing uses, wholesale trade, retail trade, transportation and warehouse uses, finance and insurance, real estate rental and leasing uses, educational uses, healthcare and social assistance, arts, entertainment and recreational uses, food services uses, etc.

According to Harris County Appraisal District records, the subject property includes two tracts of land; Tracts 24 and 25, Block 1446 totaling 0.13 acres/6,000 square feet. The 0.13-acre tract of land is developed with an approximately 2,700-square-foot metal building, which was constructed in 1966.

According to City records, a Zoning Permit (Certificate of Occupancy) was issued in 1998 to allow the existing metal building to be used for interior storage only. The property was zoned High Density Residential (R-3) at that time. Notes on the permit indicate that the use of interior storage was pre-existing and became a non-conforming use when the zoning of the property changed from a non-residential zoning district to R-3; a residential zoning district. It is assumed that at some point the use of the legal non-conforming use ceased and the property was rezoned to its current zoning district of R-1. The current owner has made several attempts to apply for a zoning permit to allow a non-residential use. However, its legal non-conforming status is no longer applicable, and only certain residential uses are allowed.

The below table illustrates the zoning of surrounding properties as well as surrounding uses:





**Planning and Zoning Commission**  
**December 21, 2023 – Zone Change #23-92000002**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Low Density Residential (R-1)	Undeveloped
<b>South</b>	Low Density Residential (R-1)	Undeveloped
<b>West</b>	Low Density Residential (R-1)	Undeveloped
<b>East</b>	High Density Residential (R-3)	Broadway St.

**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 300 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.

Staff sent thirteen (13) notices of the public hearing to all property owners within 300 feet of the site. As of the date of this writing, no notices have been returned.

**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 a zone change for this site to General Commercial (GC) would not conform with the future land use designation in the Comprehensive Plan. However, it is important to note that the future land use designation for several properties across the street from this property on the east side of Broadway Street is "Commercial" and does not align with their current residential zoning designations. These are non-conforming uses. Some of these non-conforming uses on the east side of Broadway St. are developed with similar metal structures with active zoning permits and open code enforcement cases.
2. *Access.* S. Broadway St. at this location is owned and maintained by the Texas Department of Transportation (TXDOT). Any driveway expansion would require TXDOT approval. Any future Traffic Impact Analysis (TIA) would be requested by TXDOT.
3. *Utilities.* There is an existing 8-inch water line on the east side of S. Broadway St. and a 12-inch sanitary sewer line on the west side of S. Broadway St. According to Public Works, capacity is sufficient. Although the water line is accessible, it will be the contractor's responsibility to bore under and across Broadway St. to obtain water.

The City's Comprehensive Plan identifies several items to be considered prior to making land use decisions. The following table breaks down each item and staff's findings.



**Planning and Zoning Commission**  
**December 21, 2023 – Zone Change #23-92000002**

<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 and the highest and best General Commercial use.
Impact on the value and practicality of the surrounding land uses.	The proposed zone change would be consistent with the zoning of other properties in the immediate area.
Conformance of a zoning request with the land use plan.	The existing future land use designation for the subject property is Low-Density Residential. The proposed zone change to GC is not consistent with the existing future land use plan. However, a future land use amendment to Commercial is proposed.
Character of the surrounding and adjacent areas.	The surrounding adjacent properties are either undeveloped or developed with metal buildings, or single-family homes.
Suitability of the property for the uses that would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The GC zoning district can introduce intense commercial uses to the property. Improvements will likely be needed to existing driveways at this location.
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 could introduce uses to the property that could potentially adversely impact the capacity of the safety of that portion of the road, as there are residential uses and zoning districts with frontage on the road.
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 extent to which non-residential uses are allowed within the GC zoning district could create excessive environmental harm.



**Planning and Zoning Commission**  
**December 21, 2023 – Zone Change #23-92000002**

The gain, if any, to the public health, safety, and welfare of the City.	None known.
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**RECOMMENDATION**

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed Zone Change request #23-92000002.

**ATTACHMENTS**

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





# Aerial Map

1706 S Broadway / 2121 S  
Broadway

Parcel Number: 0242990460037 /  
0242990460025

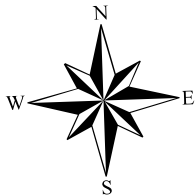
Case #: 23-92000002

 Subject Tract



**This product is for informational purposes only 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 the property boundaries.**

1 inch equals 125 feet






HGAC, Maxar, Microsoft

DECEMBER 2023  
PLANNING DEPARTMENT



1706 S Broadway / 2121 S  
Broadway

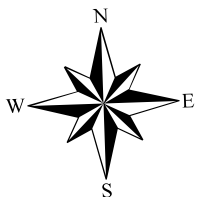
Case #: 23-92000002

-  Subject Tract
-  Planned Unit Development
-  Low Density Residential
-  High Density Residential



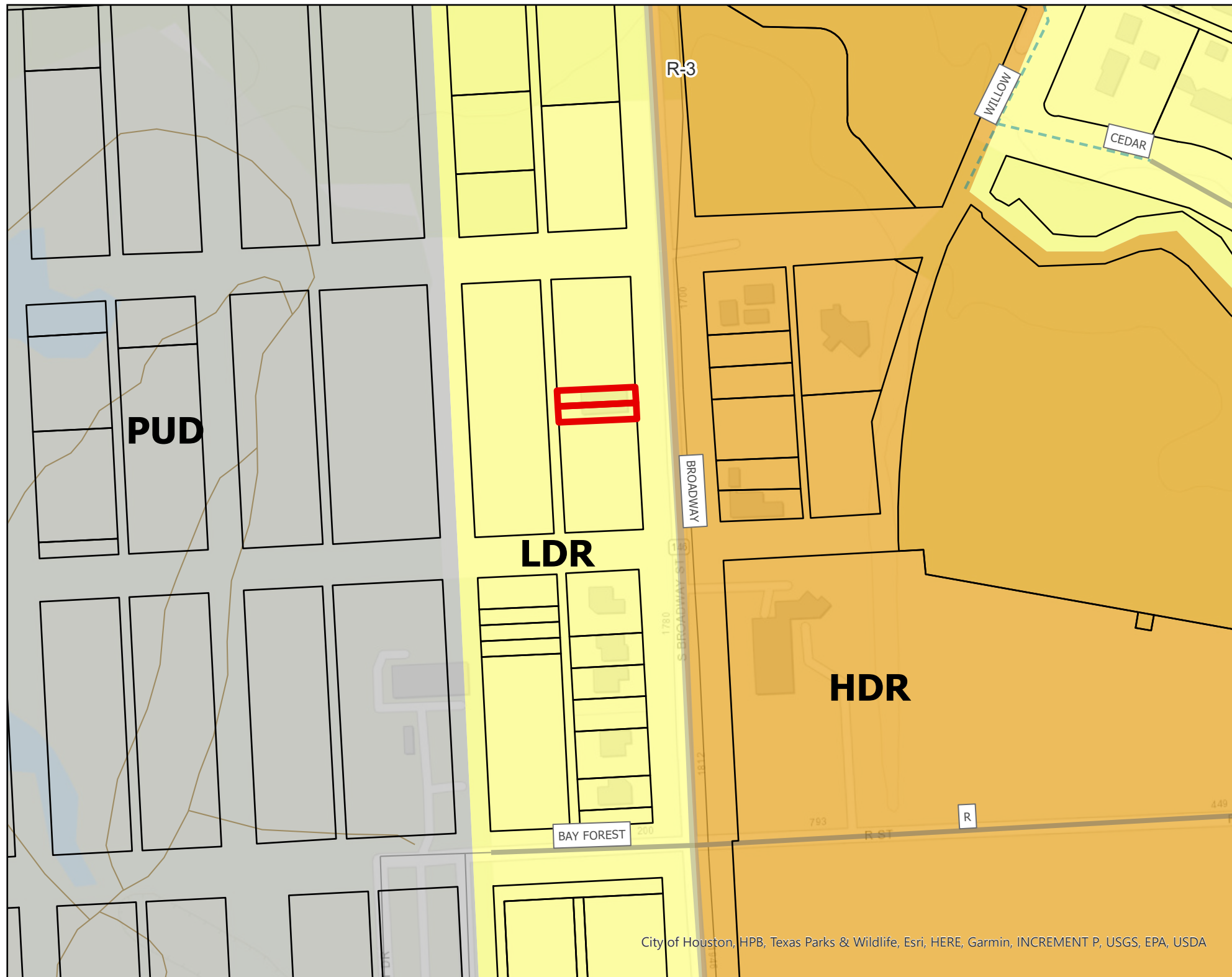
**This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries.**

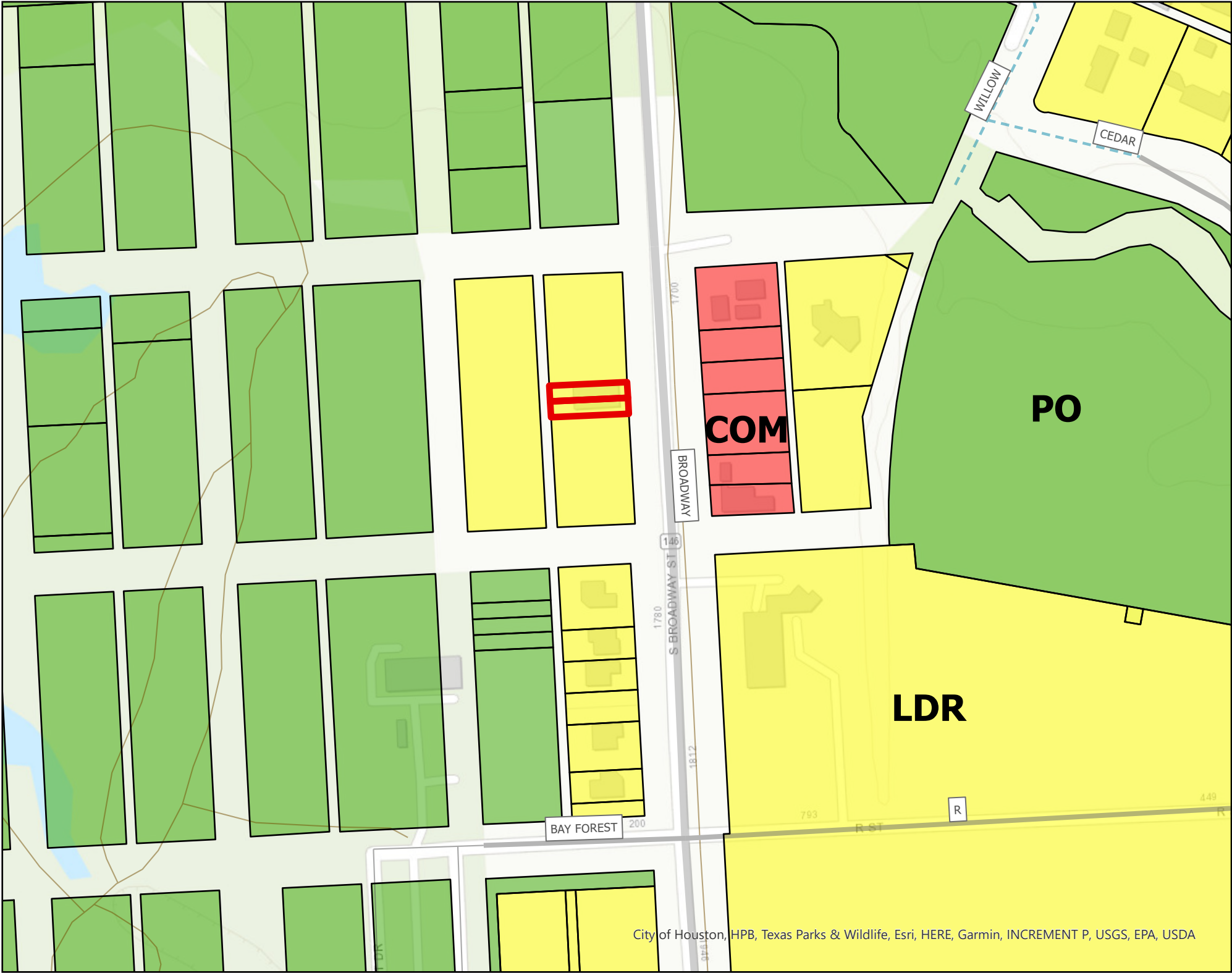
1 inch equals 188 feet



DECEMBER 2023  
PLANNING DEPARTMENT

City of Houston, HPB, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA





# FLUP Map

1706 S Broadway / 2121 S  
Broadway

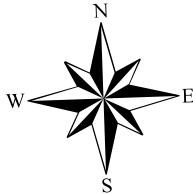
Parcel Number: 0242990460037 /  
0242990460025  
Case #: 23-92000002

-  Subject Tract
-  Commercial
-  Low Density  
Residential
-  Parks and  
Open Space



**This product is for informational purposes only 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 the property boundaries.**

1 inch equals 188 feet



# Proposed FLUP Map

1706 S Broadway / 2121  
S Broadway

Parcel Number: 0242990460037 /  
0242990460025

Case #23-92000002

-  Subject Tract
-  Proposed Land Use
-  LOW DENSITY RESIDENTIAL
-  COMMERCIAL
-  PARKS AND OPEN SPACE

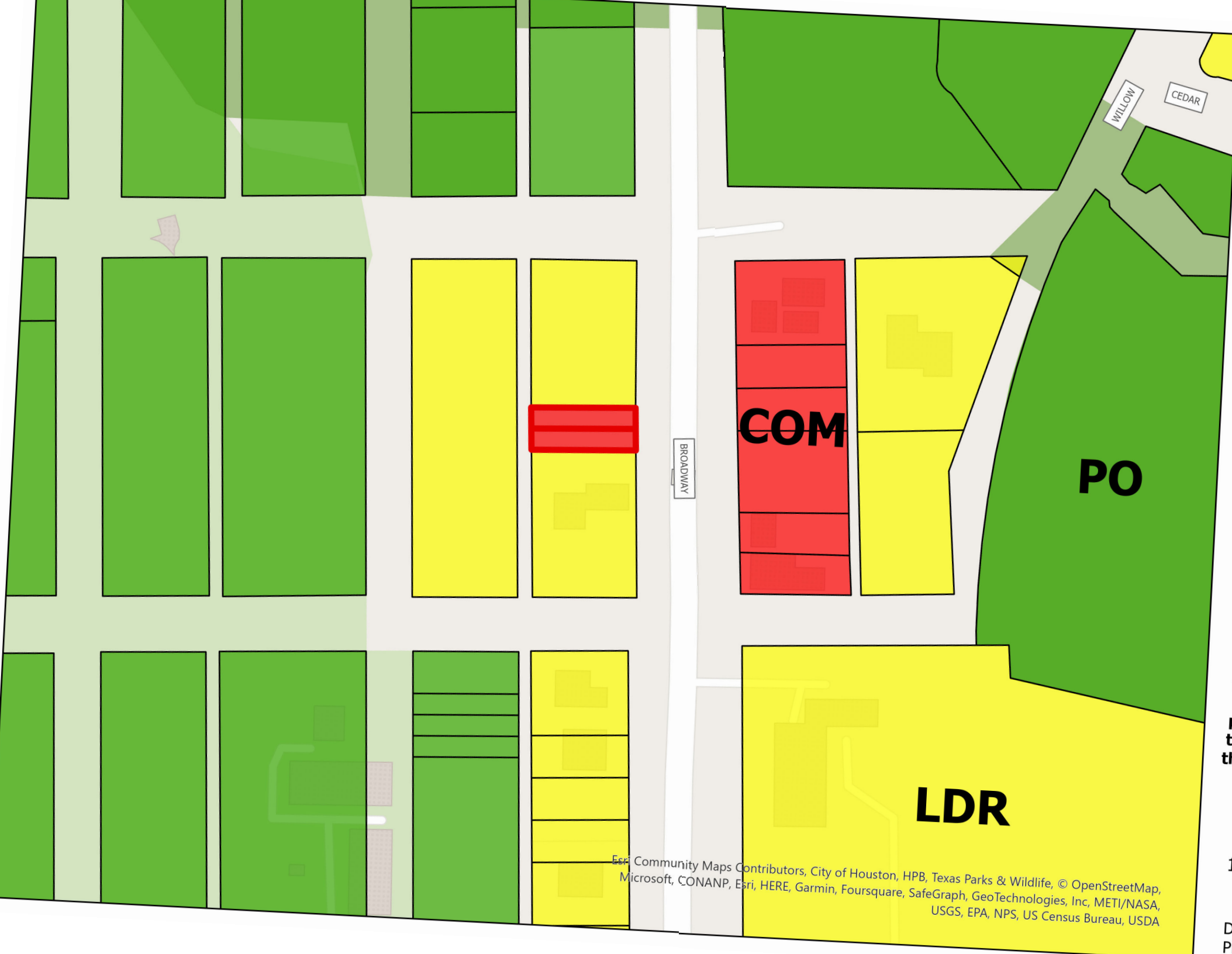


This product is for informational purposes only and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of the property boundaries

1 inch equals 133 feet



DECEMBER 2023  
PLANNING DEPARTMENT



Esri, Community Maps Contributors, City of Houston, HPB, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA





# Notification Map

1706 S Broadway / 2121 S Broadway

Parcel Number: 0242990460037 /  
0242990460025

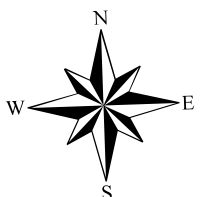
Case #: 23-92000002

-  Subject Tract
-  Noticed Properties



**This product is for informational purposes only 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 the property boundaries.**

1 inch equals 250 feet



DECEMBER 2023  
PLANNING DEPARTMENT



City of Houston, HPB, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA





# Zone Change Application

Planning and Development Department

## PROJECT INFORMATION

Address where zone change is being requested: 1706 South Broadway  
Legal description where zone change is being requested: TR 24+25 BLK 1446 La Porte  
HCAD Parcel Number where zone change is being requested: 024 299 046 0025  
Zoning District: 024 299 046 Lot area: 0037  
A request for approval of a zone change is hereby made to the City of La Porte.  
Description of Request: Change to G.C./NAICS 8111

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: Medders Coast Company  
Company (if applicable): \_\_\_\_\_  
Address: 311 South 16<sup>th</sup> Street  
City: La Porte State: TX Zip: 77571  
Phone: 281-898-0429 Email: TLmedders@Adl.com

## AUTHORIZED AGENT (If other than owner)

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

## OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner(s)' Signature(s): Long medders Date: 11-15-23

### STAFF USE ONLY:

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

Date Application Received:

16 November 23



# 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.
- ☒ **Notice of sign posting** fully completed, that ensures the applicant is aware of the requirements of the Public Hearing notice sign.

## 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 post a Notice of Public Hearing sign on the property where the Zone Change is being requested. The sign must be posted on the property visible from and within 20 feet of 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 300 feet of the subject property where the zone change is being requested.





# Zone Change Application

Planning and Development Department

## NOTICE OF POSTING

### PLANNING AND ZONING COMMISSION PUBLIC HEARING

The undersigned has acknowledged that a sign will be placed on the property based on information provided in this application, and that the applicant will ensure compliance with all requirements have been met and will continue to be met for the duration of the sign posting:

1. A public hearing sign will be posted by the City of La Porte's Planning and Development Department staff at least ten (10) days prior to the scheduled meeting date. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 1706 ~~1706~~ South Broadway

LEGAL DESCRIPTION: TR 24 & 25 BLK 1446 La Porte

2. Said sign will be placed on the property within 20 feet of the abutting street.
3. Said sign shall remain legible and visible for the entire ten (10) day posting period. If the sign fails to be visible at any point during the ten (10) day posting period, the Public Hearing will be postponed to the next available meeting date.
4. If said sign is damaged or missing, it is my duty to contact the City of La Porte's Planning and Development Department for a replacement sign. Staff are not responsible to inspect and confirm the status of the posted sign.
5. Said sign will be picked up by City staff upon completion of the Public Hearing.

Terry Medders  
Applicant's Printed Name

Terry Medders  
Applicant's Signature and Date



# Zone Change Application

Planning and Development Department

- 
- (3) *Publication of notice.* In the event a public hearing shall be held by the city planning and zoning commission in regard to a change of this chapter not involving particular property but involving a change in the chapter generally, notice of such hearing shall be given by publication once in a newspaper of general circulation in the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (4) *Submission of findings and recommendations to city council.* The city planning and zoning commission shall forward its written findings of fact and recommendations to city council within 15 days of the close of the hearings.
- (5) *Public hearing before city council.*
- Upon receipt of the written recommendations from the planning and zoning commission, a public hearing shall be held by the city council before adopting any proposed amendment, supplement, change, modification or repeal of the regulations, restrictions, and boundaries herein established.
  - Notice of such hearing shall be given by publication once in a newspaper of general circulation on the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (6) *Council actions.* The city council shall act upon such motion or petition within 60 days from the date the final report of the city planning and zoning commission was submitted to the city council.
- (7) *Protests.*
- In case of a protest against any such amendment, supplement, change, or repeal of the regulations, restrictions, and boundaries herein established, a written protest filed with the enforcement officer and signed by the owners of 20 percent or more of either:
    - The area of lots or land covered by the proposed change; or
    - The area of lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.Such amendment, supplement, change, modification, or repeal shall not become effective except by the favorable vote of three-fourths of all the members of the city council.
  - Streets and alleys shall be included when computing the area of land from which a protest may be filed.
- (8) *Vote to overrule.* The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied.





# Zone Change Application

## Planning and Development Department

- The Planning and Zoning Commission public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the Planning and Zoning Commission will conduct a public hearing and provide a recommendation to the City Council on the proposed rezoning. If additional information is requested by the Commission, the public hearing may be continued to a future meeting date.
- The Commission is tasked to review the proposed zone change and offer a recommendation to the City Council for approval, denial, or approval with conditions.
- Following the Commission's public hearing, their recommendation on the proposed rezoning is then forwarded to City Council for consideration.
- For the City Council public hearing, the Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and post notice at City Hall in conformance with legal requirements.
- The City Council public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the City Council will conduct a public hearing and render a decision on the proposed zone change. However, if additional information is requested by the City Council, the public hearing may be continued to a future meeting date.
- The following is an excerpt from the City of La Porte's Code of Ordinances pertaining to zone change requests.

### CODE REQUIREMENTS

#### Rezoning Requests

#### **Sec. 106-171. - Amendment procedures.**

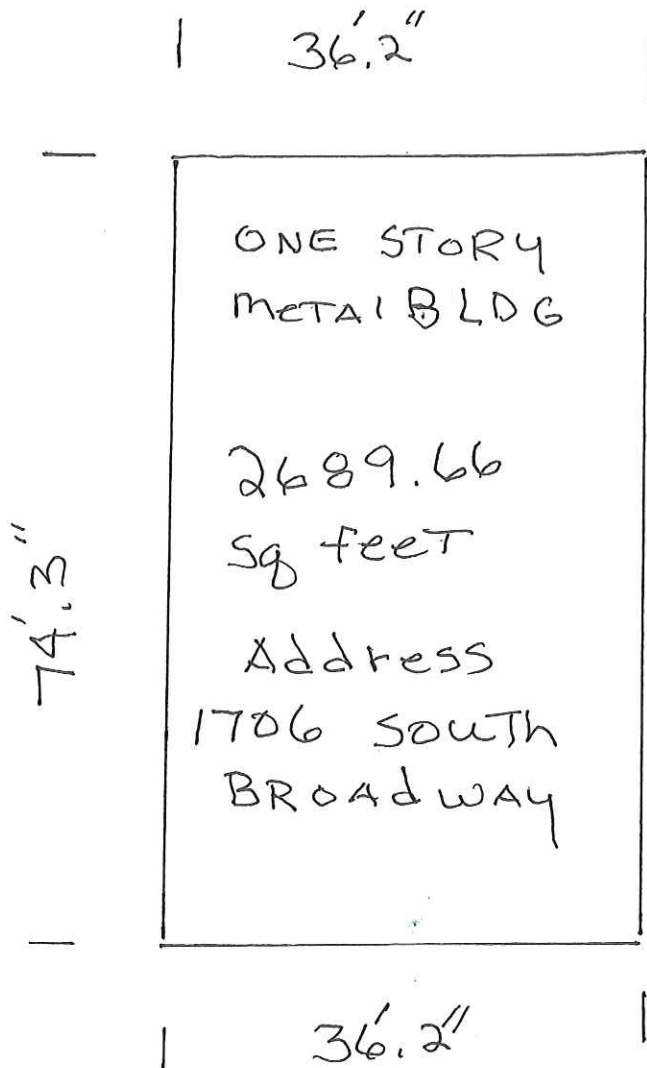
The city council may from time to time, on its own motion, the motion of the planning and zoning commission, or on petition, amend, supplement, change, modify or repeal the regulations, restrictions, and boundaries herein established.

- (1) *Public hearing before the city planning and zoning commission.* Before taking any action on any proposed amendment, supplement, change, or modification, the city council shall submit the same to the city planning and zoning commission which shall make a preliminary report and hold a public hearing thereon before submitting its final report to the city council.
- (2) *Notice of public hearing before city planning and zoning commission.*
  - a. Written notice of all public hearings before the city planning and zoning commission on proposed changes in classification shall be sent to owners of real property lying within 300 feet of the property on which the change in classification is proposed as well as the La Porte Independent School District, such notice to be given not less than ten days before the date set for hearing, to all owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. At least 15 days notice of the time and place of such hearing shall be published once in a newspaper of general circulation in the city.
  - b. Requirements for public notice by sign posting:
    1. Public notice for procedures requiring public notice by sign posting shall be provided by the city at least 15 days before the public hearing.
    2. The applicant shall place public notice sign on the property within 20 feet of the abutting street.
    3. The sign shall be clearly visible, readable, and not to create hazard to traffic on the public right-of-way abutting the property.
    4. Public notice sign shall include the date, time, place, and purpose of public hearing.
    5. The applicant must return the sign to the city within ten days after the appeal period for the public hearing has ended.
    6. The erection of this sign shall not require a permit from the city.

Change the Zoning at 1706 S. Broadway  
to G. C. For the use of Automotive  
Repair. / NAICS 8111

Jerry L. Moller

NOTE: This Building SETS  
ON LOT 24 AND 25



STATE Hwy 146 BUSINESS (S. BROADWAY



## **AGENDA ITEM #6**

# **Future Land Use Map Amendment**

## **23-83000002**





## Planning and Development Department Staff Report FLUP Amendment - #23-92000002

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### DISCUSSION

#### Location:

The subject property is located at 1706 S. Broadway Street and 2121 S. Broadway Street in the City La Porte, Texas.

#### 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 approximately 0.13 acres of land /6,000 square feet to allow an existing metal building to be used for automotive repair.

The City's Future Land Use Plan (FLUP) identifies the subject property as "Low-Density Residential." In order to accommodate the proposed zone change, the FLUP should be amended to allow for "Commercial." 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 designation.

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

	<b>Zoning</b>	<b>Land Use</b>	<b>FLU Designation</b>
North	Low-Density Residential (R-1)	Undeveloped	Low-Density Residential
South	Low-Density Residential (R-1)	Undeveloped	Low-Density Residential
East	High-Density Residential (R-3)	Auto mechanic	Commercial
West	Low-Density Residential (R-1)	Undeveloped	Low-Density Residential

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



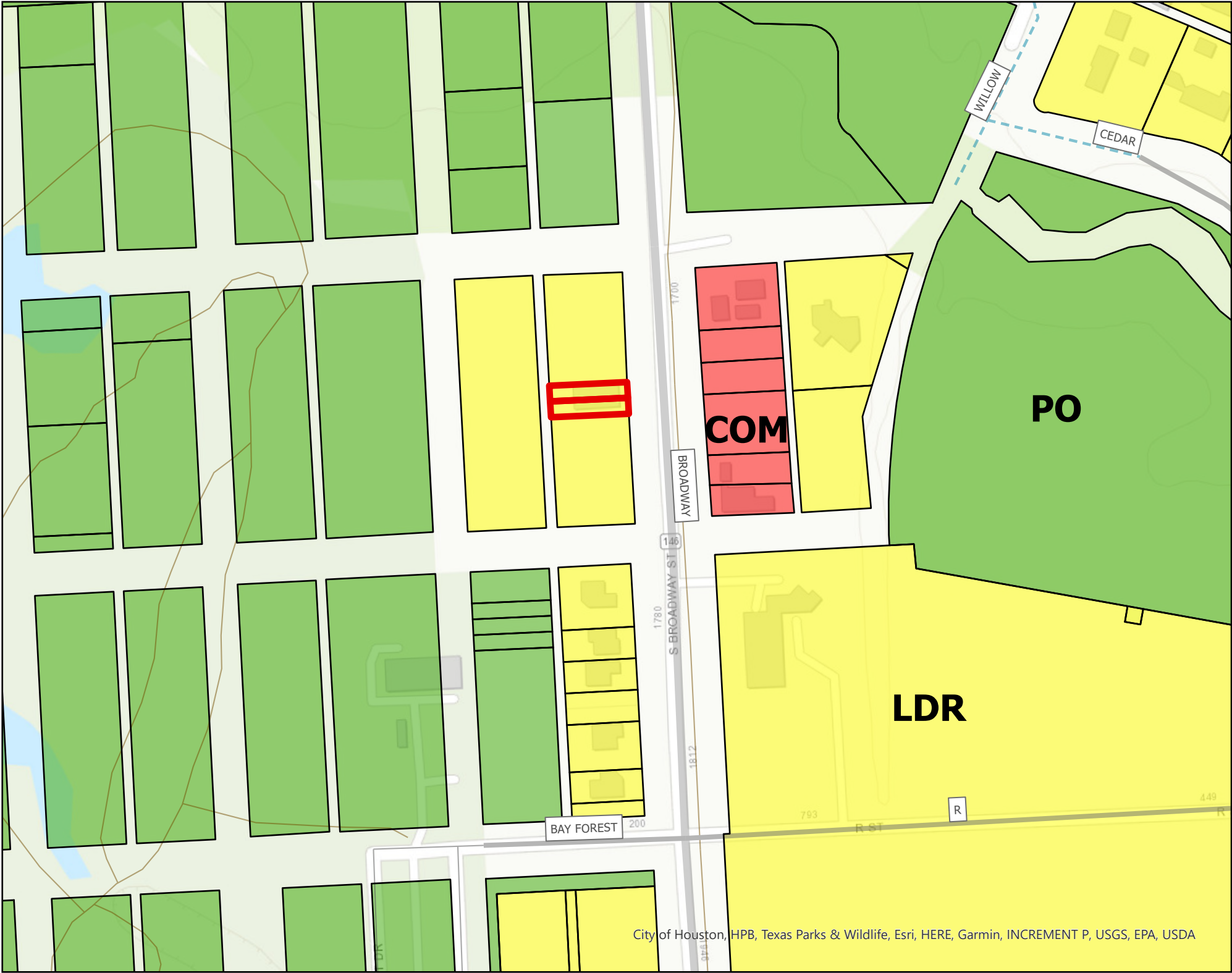
**Planning and Zoning Commission**  
**December 21, 2023 – FLUP Amendment #23-92000002**

**RECOMMENDATION**

If the Planning and Zoning Commission recommends approval of zone change request #23-92000002, the Planning and Zoning Commission should recommend an amendment to the City's Future Land Use Plan from Low Density Residential to Commercial for the subject property.

**ATTACHMENTS**

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



# FLUP Map

1706 S Broadway / 2121 S  
Broadway

Parcel Number: 0242990460037 /  
0242990460025

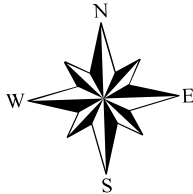
Case #: 23-92000002

-  Subject Tract
-  Commercial
-  Low Density  
Residential
-  Parks and  
Open Space



**This product is for informational purposes only 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 the property boundaries.**

1 inch equals 188 feet



# Proposed FLUP Map

1706 S Broadway / 2121  
S Broadway

Parcel Number: 0242990460037 /  
0242990460025

Case #23-92000002

-  Subject Tract
-  Proposed Land Use
-  LOW DENSITY RESIDENTIAL
-  COMMERCIAL
-  PARKS AND OPEN SPACE

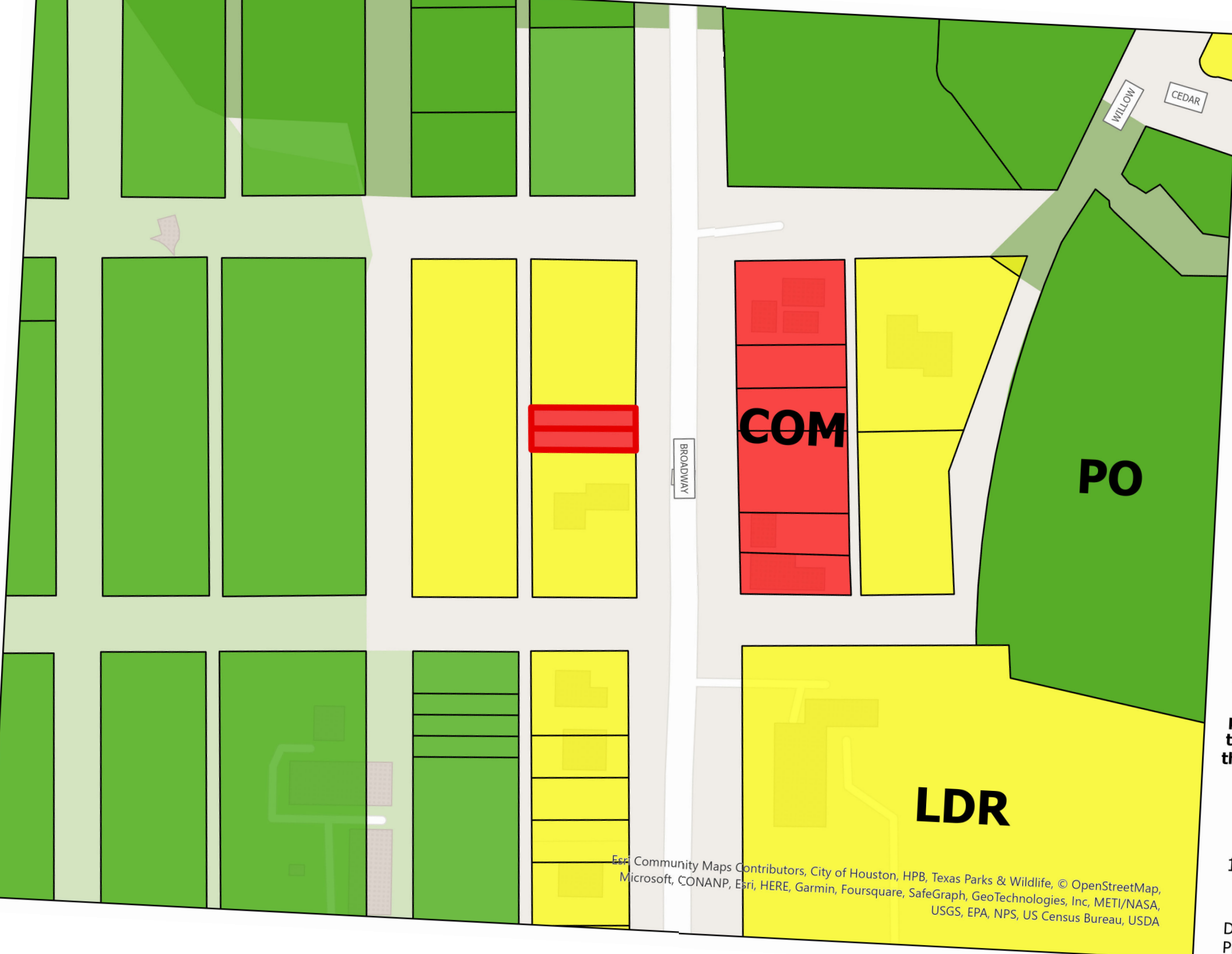


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1 inch equals 133 feet



DECEMBER 2023  
PLANNING DEPARTMENT



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## **Administrative Reports**

### **a. Next Regular Meeting- January 18, 2024**