

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, MARCH 21, 2024
REGULAR MEETING 6 P.M.**

CITY COUNCIL CHAMBERS

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/84287142368?pwd=bURybnFyUUo1aUNiV0kwc0ZldWZPd09>. Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 842 8714 2368. The passcode is 058595.

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. CITIZEN COMMENT** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
 - 4. CONSIDER APPROVAL OF THE MEETING MINUTES:** Approve the minutes of the February 15, 2024, regular meeting of the La Porte Planning and Zoning Commission.
 - 5. SCUP REQUEST #24-91000001:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #24-91000001, pursuant to an application submitted by Gunner Gaines of Uptown Vapors, applicant, on behalf of TTMM8HL, LLC, property owner, to approve SCUP 24-91000001, to allow a Tobacco and Smokers' Supply Store (NAICS Code 453991) to be located at 112 Hwy. 146 S., La Porte, Texas, on a 2.3-acre tract of land in the General Commercial (GC) zoning district, and legally described as Lots 1, 2, 3, 4, 29, 30, 31, 32 & TR B, Block 26 & Lots 9-24 and TRS D, 8, 25 & 33, Block 47, 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: SCUP Request #24-91000001
 - 6. ADMINISTRATIVE REPORTS:**
 - a. City Council Action Update
 - b. Update on Main Street Assessment and Main Street Master Plan
 - c. Next Regular Meeting- April 18, 2024

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

8. 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 **March 21, 2024**, 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 # 4

Approval of Meeting Minutes

February 15, 2024

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 REGULAR MEETING OF THE
LA PORTE PLANNING AND ZONING COMMISSION
February 15, 2024**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, February 15, 2024, 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; Mark Follis; Victor Peres; Nancy Ojeda.

Commissioners absent: Commissioner James Walter.

City Staff present: Matt Daeumer, Assistant City Manager; Teresa Evans, Planning and Development Director; Johnna Matthews, Planning Manager; Kamillah Kelly, Planning Technician; and Clark Askins, City Attorney.

1. **CALL TO ORDER** – Chairman Hal Lawler called the meeting to order at 6:01 p.m.

2. **ROLL CALL OF MEMBERS** –

Commissioner Victor Peres arrived at 6:09 p.m.

Commissioner Donna O'Conner left at 9:12 p.m.

Commissioner Nancy Ojeda left at 9:14 p.m.

3. **CITIZEN COMMENT** — None

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

a. Approve the minutes of the meeting held on January 18, 2024.

Commissioner O'Conner moved to approve the meeting minutes as corrected, seconded by Commissioner Follis. The motion was adopted, 7-0.

5. **SCUP REQUEST #23-91000006:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #23-91000006, pursuant to an application by Doak Brown of The Brownstone Group, Inc., applicant and property owner, to approve SCUP 23-91000006, an amendment to SCUP 19-91000006, to allow less than a five (5) foot side setback for garages and to approve building signage for a residential complex on a 12.608-acre tract of land in a Planned Unit Development (PUD) district, located at

8901 W. Fairmont Parkway and legally described as Tracts 710A and 711, La Porte Outlets, Harris County, Texas.

The Public Hearing was opened at 6:05 p.m.

Director of Planning and Development Teresa Evans presented the proposed SCUP 23-91000006.

The Public Hearing was adjourned at 6:22 p.m.

Commissioner Ojeda made a motion to approve SCUP 23-91000006 an amendment to SCUP 19-91000006. The motion was seconded by Commissioner Warren and adopted 8-0.

- 6. SCUP REQUEST #23-91000007:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #23-91000007, pursuant to a request by Zainul Momin, applicant, on behalf of Jainil Properties, Inc., property owner, to approve SCUP 23-91000007, to allow a Tobacco/Smoke Supply Store to be located at 10943 W. Fairmont Parkway, a 0.917- acre tract of land, legally described as Reserve A, Block 1, Singh's Sunrise C Store, Harris County, Texas.

The Public Hearing was opened at 6:26 p.m.

Planning Manager Johnna Matthews presented and answered questions on the proposed SCUP 23-91000007.

Zainul Momin, the applicant, answered questions on the proposed SCUP Request.

Director of Planning and Development Teresa Evans answered questions on the proposed SCUP request.

Zainul Momin, the applicant, and Aralentiran Suppiah, the business owner, answered questions on the proposed SCUP Request.

Assistant City Manager Matt Daeumer answered questions about smoke shops.

The Public Hearing was adjourned at 7:05 p.m.

Zainul Momin, the applicant, answered questions on the proposed SCUP Request.

Commissioner Peres made a motion to approve SCUP #23-91000007. The motion was seconded by Commissioner Landin and the motion failed 4-4.

- 7. SCUP REQUEST #23-91000004:** The Commission will hold a public hearing on Special Conditional Use Permit (SCUP) Request #23-91000004, pursuant to a request by Sophia Fiful of Garden Bure 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 in a Planned Unit Development (PUD) district, located at the northeast corner of S.H. 146 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 Tracts 5 and 5L, Abstract 30, W. P. Harris Survey, Harris County, Texas.

The Public Hearing was opened at 7:23 p.m.

Director of Planning and Development Teresa Evans presented and answered questions on the proposed SCUP 23-91000004.

Mario Lanza, the engineer, spoke and answered questions on the proposed SCUP.

Delayne Reichman at 105 Bogey Circle, La Porte, TX 77571, spoke in opposition to the proposed SCUP.

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

Dee Anne Thomson at 2330 Eagle Lane, La Porte, TX 77571, spoke in opposition to the proposed SCUP.

The Public Hearing was adjourned at 8:34 p.m.

Sophia Fafil, the applicant, spoke and answered questions on the proposed SCUP.

Commissioner Ojeda made a motion to approve SCUP #23-91000004. Motion failed due to lack of a second motion.

Commissioner Follis made a motion to deny SCUP #23-91000004. The motion was seconded by Commissioner O'Conner and adopted 7-1.

8. ADMINISTRATIVE REPORTS:

a. City Council Action Update

Director of Planning and Development Teresa Evans spoke about the Fill Dirt Amendment and La Porte Jet SCUP.

b. Next Regular Meeting- March 21, 2024

c. Update on Main Street Assessment and Main Street Master Plan

Assistant City Manager Matt Daeumer spoke on the upcoming Main Street Master Plan meeting.

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

Commissioner Warren commented on being in support of the community and serving the members.

Commissioner Mock commented on feelings of concern for investors regarding projects but stated that projects have to be done the right way.

Commissioner Follis commented on mobile home parks and a Town Hall meeting scheduled for March 5, 2024, to discuss the Main Street Plan.

ADJOURN: Commissioner Warren made the motion to adjourn at 9:15 p.m.; The motion was seconded by Commissioner Mock, and the motion was adopted 6-0.

Hal Lawler, Planning and Zoning Commission Chairman

Donna O'Conner, Planning and Zoning Commission Secretary

**City of La Porte, Texas
Planning and Zoning Commission**



March 21, 2024

AGENDA ITEM #5

Special Conditional Use Permit #24-91000001

A request by Gunner Gaines of Uptown Vapors, applicant, on behalf of TTMM8HL, LLC; LMSTHL, LLC; MCHL, LLC; STLTHL, LLC, property owners, for approval of a Special Conditional Use Permit (SCUP) to allow a Tobacco and Smokers' Supply Store (NAICS Code 453991) on a 2.3-acre tract of land in the General Commercial (GC) zoning district, located at 112 Hwy. 146 S., and legally described as Lots 1,2,3,4,29,30,31,32 & TR B, Block 26 & Lots 9-24 and TRS D, 8,25 & 33, Block 47, La Porte, Harris County, Texas.

***Johnna Matthews, Planning Manager
Planning and Development Department
City of La Porte, Texas***

Planning and Development Department Staff Report

REQUEST

Consider a recommendation to the La Porte City Council to approve a Special Conditional Use Permit (SCUP) to allow a Tobacco and Smokers' Supply Store (NAICS Code 453991) within the General Commercial (GC) zoning district on a 2.3-acre tract of land located at 112 Hwy 146 S., and legally described as Lots 1,2,3,4,29,30,31,32 & TR B, Block 26 & Lots 9-24 and TRS D, 8,25 & 33, Block 47, La Porte, Harris County, Texas.

DISCUSSION

Location:

The subject property is a 2.3-acre tract of land located at 112 Hwy. 146 S.

Background Information:

The subject property is developed with a single building of approximately 20,427 square feet, which currently houses a host of uses including restaurants, a dollar store, a dental office, and a vacant suite which was formerly occupied by a pharmacist in which the applicant proposes to locate a Tobacco and Smokers' Supply store. According to the National American Industry Classification System (NAICS), a Tobacco and Smokers' Supply store is defined as an establishment primarily engaged in retailing cigarettes, cigars, tobacco, pipes, and other smokers' supplies.

According to City records, there are seven (7) active tobacco stores in La Porte. Their location and approximate distances from the subject property, based on Google are listed below:

1. Vapor Sense located at 1309 W. Fairmont Parkway, Suite B: 1 mile
2. Tobacco Shop located at 913 S. Broadway Street: 1.6 miles
3. Vape and More located at 9901 Spencer Highway, Suite G: 3.2 miles
4. Buzzers located at 1444 Sens Road: 2.6 miles
5. Smooking located at 8610 Spencer Highway: 6.2 miles
6. Sylvan Vape located at 1131 S. Broadway Street: 1.6 miles
7. Vape World - 3151 S. Broadway Street: 3.5 miles

Additionally, the closest La Porte Independent School District (LPISD) schools and their approximate distance to the subject property are listed below:

1. La Porte Academy of Viola Dewalt High School (Alternative School) located at 401 N. 2nd St.: 1 mile
2. La Porte High School located at 301 E. Fairmont Pkwy.: 1.9 miles

Zoning

The subject property is zoned General Commercial (GC). Exhibit B illustrates the zoning districts and land uses of the subject property and surrounding properties. The following table summarizes surrounding zoning districts and land uses.

	Zoning	Land Use
North	General Commercial (GC)	Gas Station
South	General Commercial (GC)	Goodwill Single-Family Home
West	General Commercial (GC)	Houston La Porte Industrial Undeveloped Lot
East	General Commercial (GC)	Interstate Hwy. 146 S.

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 15 days of the hearing; and one (1) sign was posted in the area within 15 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 a tobacco store, in an existing retail strip center zoned General Commercial (GC), is consistent with surrounding retail uses in the area.
2. **Access**. There is sufficient driveway access along the Hwy. 146 frontage road as well as along S. 11th. St.
3. **Utilities**. Water and sewer services are available to serve the property.

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 findings:

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	The proposed SCUP would be consistent with surrounding retail uses and the General Commercial (GC) zoning district.
Conformance of a zoning request with the land use plan.	The future land use designation for the subject property is Commercial, which represents a wide variety of goods and services at the regional level.
Character of the surrounding and adjacent areas.	The proposed SCUP is consistent with the surrounding area and adjacent uses.
Suitability of the property for the uses that would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The subject property is suitable for uses that would be permitted within the General Commercial including the retail use proposed.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	It is not anticipated that approval of the proposed SCUP would adversely impact traffic.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	It is not anticipated that the proposed SCUP would negatively impact the environmental integrity of the surrounding area.
The gain, if any, to the public health, safety, and welfare of the City.	N/A

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed SCUP #24-91000001, subject to 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 necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
3. Any substantive 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.

ATTACHMENTS

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map
- Exhibit D: Notification Map
- Exhibit E: SCUP Document
- Exhibit F: Application
- Exhibit G: Previously Approved Site Plan
- Exhibit H: Site Photo
- Exhibit I: Sign Photo




Exhibit A

Aerial Map

112 Highway 146 S

Parcel # : 0231820470033

Legend

-  Subject Parcel
-  Other Parcels
-  Subject Location



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



HGAC, Maxar, Microsoft

CITY OF LA PORTE PLANNING DEPARTMENT

Exhibit B

Zoning Map

112 Highway 146 S

Parcel # : 0231820470033

Legend

 Subject Parcel

 Other Parcels


COLP_PL_Zoning

 General Commercial

 Main Street District

 Main Street District
Overlay

 Low Density
Residential

 Medium Density
Residential



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CITY OF LA PORTE PLANNING DEPARTMENT

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

Exhibit C

FLUP Map

112 Highway 146 S

Parcel # : 0231820470033

Legend

-  Subject Parcel
-  Other Parcels
- COLP_PL_FutureLandUse
 -  Commercial
 -  Low Density Residential
 -  Mid-High Density Residential
 -  Main Street



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Exhibit D

Notification Map

112 Highway 146 S

Parcel # : 0231820470033

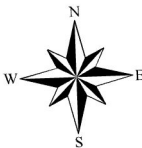
Legend

-  Subject Parcel
-  Other Parcels

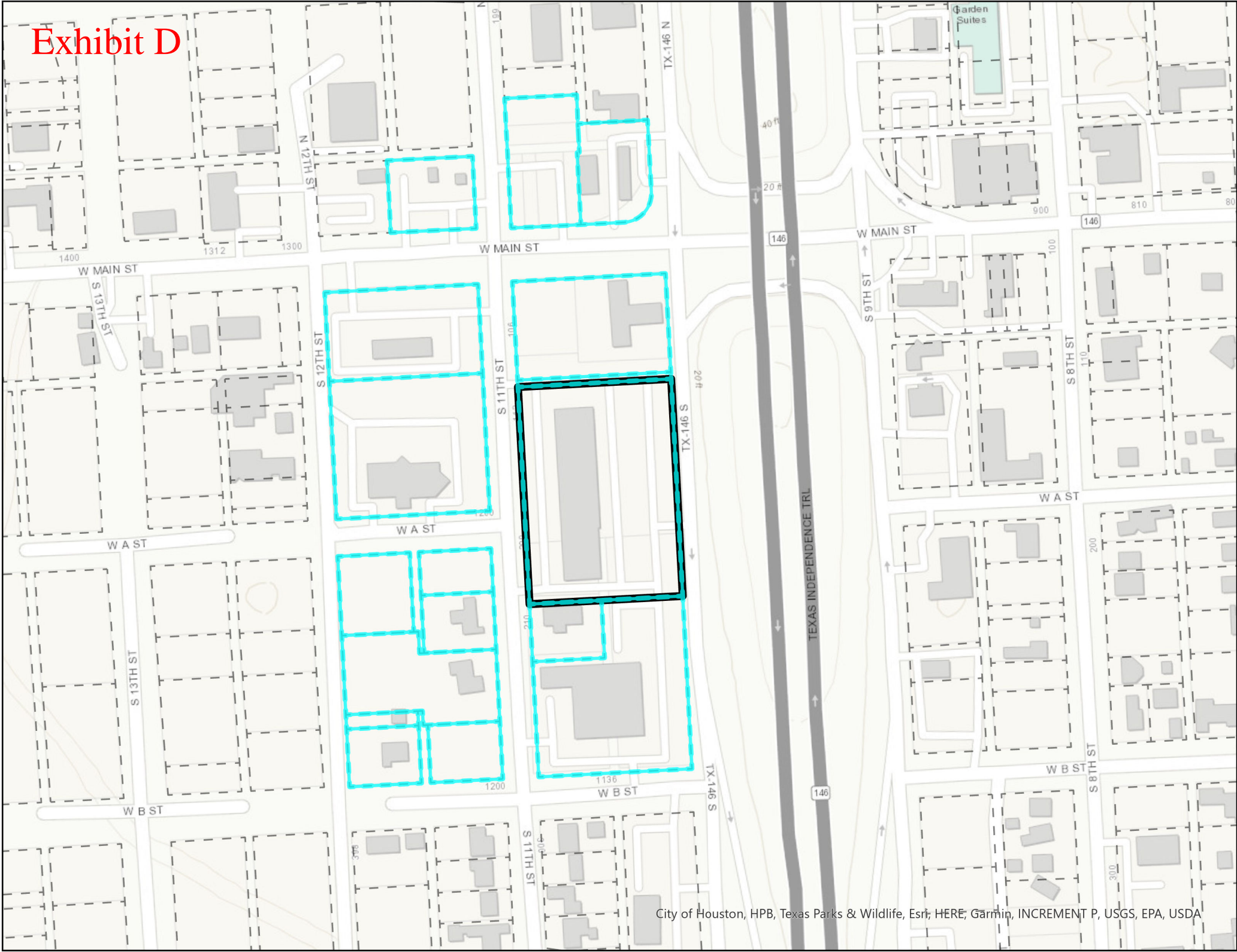


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0 45 90 180 Feet



CITY OF LA PORTE PLANNING DEPARTMENT



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

City of La Porte
Special Conditional Use Permit
#24-91000001

This permit is issued to: Gunner Gaines of Uptown Vapors
Owner or Agent

7137 Avenue R, Santa Fe, TX 77510
Address

For Development of: Tobacco and Smokers' Supply Store (NAICS 453991)
Development Name

112 HWY 146 S La Porte, TX, 77571
Address

Legal Description: Lots 1,2,3,4,29,30,31,32 & TR B, Block 26 & Lots 9-24 and TRS D, 8,25 & 33, Block 47, La Porte, Harris County, Texas

Zoning: General Commercial (GC)

Use: Tobacco and Smokers' Supply Store (NAICS 453991)

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 necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
3. Any substantive modifications to this SCUP 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 S C U P 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 SCUP 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

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

OVERVIEW

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

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

SCUP requests are reviewed by the Planning and Zoning Commission as a public hearing. The Commission consists of residents of the community appointed by City Council. The Commission meets on the third Thursday of every month, as necessary. The Commission will forward a recommendation to the City Council for final consideration.

SUBMITTAL REQUIREMENTS

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

- ☒ **Completed application form.**
- ☒ **Application fee of \$400; nonrefundable.**
- ☒ **Site plan, conceptual site plan or general plan**, drawn to scale and dimensioned to show the location of proposed improvements for the development.
- ☒ **Project description/justification letter** that thoroughly explains what is being requested and why such SCUP should be approved by the Planning and Zoning Commission and City Council.
- ☒ **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 SCUP request will be scheduled for the next available Planning and Zoning Commission meeting date as a public hearing.
- The Planning and Development Department will post a Notice of Public Hearing sign on the property where the SCUP 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 SCUP is being requested.



Special Conditional Use Permit 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 SCUP. If additional information is requested by the Commission, the public hearing may be continued to a future meeting date.
- The Commission and City Council may impose special conditions on an SCUP in an attempt to ensure compatibility of the proposed development with surrounding properties and the community as a whole.
- The Commission is tasked to review the proposed SCUP 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 SCUP 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 SCUP. 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 SCUP requests.

CODE REQUIREMENTS

Conditional Use Permits

Sec. 106-216. - General conditions for all 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.
- (b) Upon application for a special conditional use permit and submission of a general plan, major development site plan, minor development site plan, or preliminary plat (as the case may be), the city planning and zoning commission shall conduct a public hearing, duly advertised and with proper notice being given to all parties affected, as provided in section 106-171 (Amendment procedures). The general site plan, major development site plan, minor development site plan, or preliminary plat shall be drawn to scale and shall show the arrangement of the project in detail, including parking facilities, location of buildings, building uses to be permitted, means of ingress and egress, and other pertinent information, together with the information required by the development ordinance of the city.
- (c) After public hearing and upon recommendation of the city planning and zoning commission, the city council may modify the final planned unit development plan and issue a special conditional use permit containing such requirements and safeguards as are necessary to protect adjoining property.
- (d) Failure to begin construction within one year 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.



Special Conditional Use Permit 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: 112 Highway 146 S

LEGAL DESCRIPTION: LTS 1-2-34 29-30-31-32 and TR B BLK 26 and LTS 9 thru 24
TR S D 8-25 and 33 BLK 47

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.

Gunner Gaines

Applicant's Printed Name

Gunner Gaines 01/24/24

Applicant's Signature and Date



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 112 HIGHWAY 146 S
Legal description where SCUP is being requested: LOTS 12-34, 49-30-31-32 AND TRACT B BLK 26 AND LOTS 9-28
AND TRACTS D 825 AND 33 BLK 47
HCAD Parcel Number where SCUP is being requested: 0231820470033
Zoning District: GENERAL COMMERCIAL Lot area: 20588 SF

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

Description of Request: SCUP request in order to expand our e-cigarette store
to La Porte, extend our customer base, and cater to the
CITIZENS OF LA PORTE.

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: TTMMBHL, LLC
Company (if applicable):
Address: 300 PROMENADEWAY SUITE 160
City: SUGAR LAND T. State: TX Zip: 77478
Phone: 281-313-0000 Email: SKERN@RUBICONREACTY.COM

AUTHORIZED AGENT (If other than owner)

Name: Gunner Gaines
Company (if applicable): Uptown Vapors
Address: ~~112 Highway 146 S~~ 7157 Avenue R
City: Santa Fe State: Tx Zip: 77510
Phone: 309 798 9882 Email: gunner.gaines2@gmail.com
uptownvapors.tx@gmail.com

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: [Signature] Date: 1/24/24

Owner(s)' Signature(s): [Signature] Date: 1/20/24

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

(e) If construction is terminated after the completion of any stage and there is ample evidence that further development is not contemplated, the division 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, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

(f) Every special conditional use permit granted as provided herein shall be considered as an amendment to the zoning ordinance as applicable to such property.

Sec. 106-217. - Conditions for approval.

A special conditional use permit shall be issued only if all of the following conditions have been found:

- (1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.
- (2) That the conditions placed on such use as specified in each district have been met by the applicant.
- (3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.

Sec. 106-218. - Amendments.

The procedure for amendments for a special conditional use permit shall be the same as for a new application.

*Please note that requirements for notification of the public hearing
are subject to the provisions of Section 106-171 of the Code of Ordinances.*

AUTHORIZED AGENT (if other than owner)

Name: James Jones

Company (if applicable): W. Jones & Co.

Address: 1234 Main St.

City: St. Louis

State: MO

Zip: 63101

Phone: 314-123-4567

Email: james.jones@wjones.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 applicant is complete to the best of my knowledge and belief.

Date: 1/15/18

Agent's Signature: [Signature]

Date: 1/15/18

Owner's Signature: [Signature]

Case Number:

Date Application Received:

Project Description and Justification Letter

Uptown Vapors, LLC

1/22/2024

To the esteemed members of the Planning and Development Department for the city of La Porte, Texas,

In keeping with the requirements of the application for a special conditional use permit, this letter is to detail our intended development of 112 Hwy 146 S, Unit B into an Uptown Vapors retail location.

1. Intent

We are requesting a special conditional use to open the second location of the Texas branch of our company. In the proposed unit, we wish to remove a non-structural wall located near the front of the unit in order to create a large "front of house." In this area, we intend to facilitate a seating area near the front door, display cases, and hung slat wall along the wall opposite the door, as well as the walls perpendicular to facilitate the display and storage of our products. Additionally, we will install a door in the rear-most room next to the bathroom to create an office/storage area.

In our retail establishment we seek to sell various e-cigarette/vaporizer products, e-liquids, smoking accessories, CBD, THC derivative products compliant with the 2018 Federal Farm Bill, and various accessories.

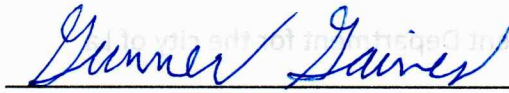
2. Justification

We at Uptown Vapors pride ourselves on customer service, selection, and affordable pricing. From our selection of over 900 combined flavor/nicotine options for e-liquid to our numerous discounts for the wonderful working people such as our military and veterans, police officers, firefighters, EMS, TWIC holders, CDL holders, Union workers, and more that keep our country safe and running, our customers have come to trust us to provide them with a wide selection, expert knowledge, and the best prices in Houston.

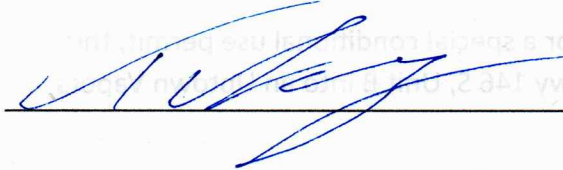
Our presence in La Porte would not only benefit local consumers, but local business as well. As our employees love to frequent the various retail and food establishments in the areas around our locations and are often asked for recommendations by our patrons, our presence in the area would serve to grow everyone around us as we do.

We humbly request your approval of this special conditional use permit so that we may continue to grow our business in your wonderful city. Thank you all for your consideration. We anxiously await your response.

Best Regards,

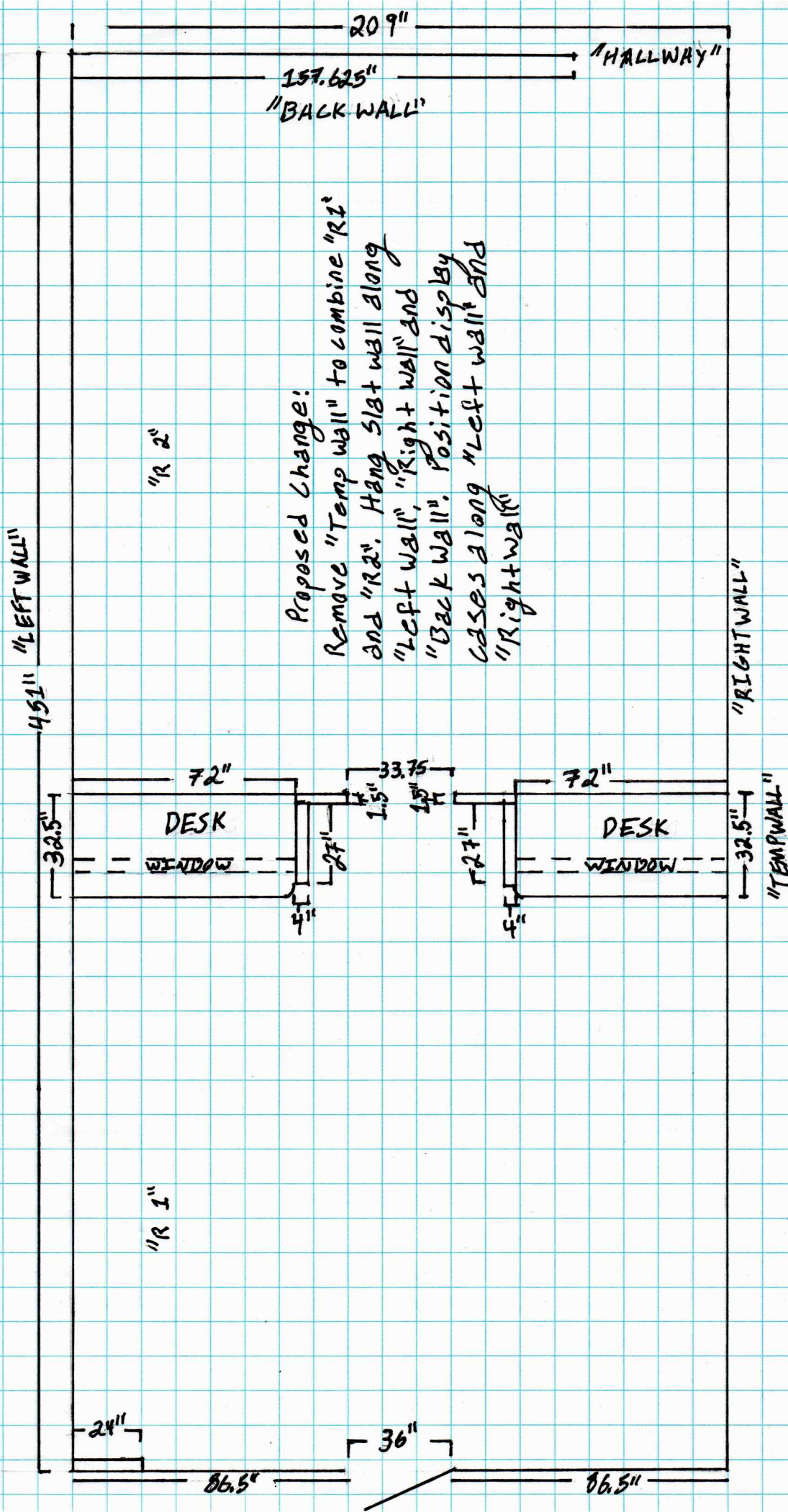


Gunner Gaines, Owner, Uptown Vapors



Colton Tuley, District Manager, Uptown Vapors

AERIAL VIEW 1/44TH SCALE



C	COLTON	A.
T	CULEY	1/23
U	TOWNS	LLG
V	PORES	2024
1	1/23	

C	CURRENT	
S	STAFF	1465
I	INTER	TX
U	IMPORT	
L	LA	

Exhibit H



Exhibit I



**CITY OF LA PORTE
NOTICE OF PUBLIC HEARING**

CASE #: 24-91000001

REQUEST: Special Conditional
Use Permit

AUTHORITY: Planning and
Zoning Commission

DATE: March 21, 2024

TIME: 6:00 pm

A public hearing will be held at:
CITY HALL COUNCIL CHAMBERS
604 W. FAIRMONT PARKWAY
Please contact the City's
Planning & Development Dept.
for more information.



PLANNING & DEVELOPMENT DEPARTMENT
281-470-5065
www.laportetx.gov



AGENDA ITEM # 6

Administrative Reports

- a. City Council Action Update**
- b. Update on Main Street Assessment
and Main Street Master Plan**
- c. Next Regular Meeting- April 18, 2024**