



**City of La Porte  
Planning and Zoning Commission Agenda**

Notice is hereby given of a **Regular Meeting** of the La Porte Planning and Zoning Commission to be held on **Thursday, February 16, 2017 at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Consider approval of the meeting minutes: October 10, 2016 Meeting
4. Open a public hearing to receive input on an application for Zone Change #16-92000007 a request by Rodney Slaton of Trinity Bay Engineering, applicant, on behalf of WH Casserly, owner to rezone the property known as a 6.69 acre parcel legally described as Tract 19C, Abstract 482 W Jones Subdivision, City of La Porte, Harris County, Texas from Mid Density Residential (R-2) to General Commercial (GC).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (for, against, or questions)
  - d. Question and Answer
5. Close public hearing.
6. Consider recommendation to the City Council or other action on Zone Change #16-92000007.
7. Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 6.69 acre tract of land known as Tract 19C, Abstract 482 W Jones Subdivision, from "Mid Density Residential" to "Commercial."
8. Discussion on proposed Truck Parking Ordinance
9. Administrative reports.
10. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
11. 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.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281-470-5019.

**CERTIFICATION**

I certify that a copy of the Thursday, February 16, 2017, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2017.

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

**Planning and Zoning Commission  
Minutes of October 20, 2016**

**Commissioners Present:** Nick Barrera, Richard Warren, Trey Kendrick, Larry Stockham, Wyatt Smith, Mark Follis, Helen LaCour and Chairman Hal Lawler

**Commissioners Absent:** Lou Ann Martin

**City Staff Present:** City Manager Corby Alexander, Assistant City Attorney Clark Askins, Office Coordinator Peggy Lee, and Planning Technician Ryan Cramer

**1. Call to Order.**

Chairman Hal Lawler called the meeting to order at 6:01 p.m.

**2. Roll call of members.**

Lou Ann Martin was the only Commission member not present. Mark Follis and Wyatt Smith arrived at 6:04 p.m.

**3. Consider approval of meeting minutes: July 21, 2016.**

Commissioner Stockham noted the minutes incorrectly labeled him as absent.

**Motion** by Trey Kendrick to approve the meeting minutes of the July 21, 2016 meeting as amended to reflect Commissioner Stockham's attendance.

**Second** by Richard Warren. **Motion carried.**

**Ayes:** Nick Barrera, Richard Warren, Trey Kendrick, Larry Stockham, Helen LaCour and Chairman Hal Lawler

**Nays:** None

**4. Consider approval of meeting minutes September 15, 2016.**

**Motion** by Richard Warren to approve the meeting minutes of the September 15, 2016 meeting.

**Second** by Nick Barrera. **Motion carried.**

**Ayes:** Nick Barrera, Richard Warren, Trey Kendrick, Larry Stockham, Helen LaCour and Chairman Hal Lawler

**Nays:** None

**5. Consider approval or other action of a Major Development Site Plan #16-83000002; a request by the Port of Houston for the proposed warehouse/railyard, at 400 N. L, legally described as a 55.106 acre tract legally described as Lots 22, 23, 25, 26, 27 and a portion of North "L" Street, 4th Street and 6th Street all closed by order of the Commissioners Court of Harris County, save**

**and except GH&SA Railway ROW and save and except 1-1/2 acres of the northwest side of Lot 27, Nebraska Syndicate an addition to the City of La Porte.**

Planning Technician presented staff's report on the major development site plan.

City Planner Ensey reported there were minor comments from the building and utilities department needing to be addressed.

Commissioner Smith asked if there would be any outside storage. Planning Technician Cramer said there was no room for outdoor storage.

Commissioner Warren asked where the detention pond would be located. Planning Technician Cramer said they are in a natural drainage channel, Commissioner Follis agreed with this and provided an example of a similar situation.

Commissioner Follis asked if there were enough fire hydrants. Planning Technician Cramer said the Fire Marshall had approved the plans and it appeared there were fire hydrants within 300 feet.

Commissioner Follis wanted to confirm the site met the City's green space requirements. Planning Technician Cramer said he was not sure but they could add a condition of approval requiring the percentage of green space to be called out.

**Motion** by Commissioner Kendrick to approve Major Development Site Plan #16-83000002; a request by the Port of Houston for the proposed warehouse/railyard, at 400 N. L, legally described as a 55.106 acre tract legally described as Lots 22, 23, 25, 26, 27 and a portion of North "L" Street, 4th Street and 6th Street all closed by order of the Commissioners Court of Harris County, save and except GH&SA Railway ROW and save and except 1-1/2 acres of the northwest side of Lot 27, Nebraska Syndicate an addition to the City of La Porte with the conditions that all comments from the building and utilities department be addressed, the plat be approved by Harris County and a table showing the percentage of green space be added to the site plan before it is signed.

**Second** by Commissioner Warren. **Motion Carried.**

**Ayes:** Nick Barrera, Richard Warren, Trey Kendrick, Larry Stockham, Wyatt Smith, Mark Follis, Helen LaCour and Chairman Hal Lawler

**Nays:** None

## **6. Administrative Reports**

Planning Technician Cramer said the Texas APA conference will be in San Antonio November 2<sup>nd</sup>-4<sup>th</sup> and there are three Commissioners already signed up.

Planning Technician Cramer also said there will be a new City Planner coming in at October 31<sup>st</sup>.

## **7. Commission comments on matter appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.**

Commissioner Kendrick asked if the Commission had elected a Secretary yet. They had not elected one at that time.

**8. Adjourn**

**Motion** by Commissioner Warren to adjourn.

**Second** by Commissioner Smith. **Motion Carried.**

**Ayes:** Nick Barrera, Richard Warren, Trey Kendrick, Larry Stockham, Wyatt Smith,  
Mark Follis, Helen LaCour and Chairman Hal Lawler

**Nays:** None

Chairman Lawler adjourned the meeting at 6:40 p.m.

Respectfully submitted,

---

Ryan Cramer  
Secretary, Zoning Board of Adjustment

Passed and Approved on \_\_\_\_\_, 2017.

---

Hal Lawler  
Chairman, Planning and Zoning Commission

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



**February 16, 2017**

## **AGENDA ITEMS 4-6**

Consider approval of Zone Change Request #16-92000007,  
a rezoning of a 6.69 acre parcel legally described as  
Tract 19C, Abstract 482 W Jones Subdivision  
City of La Porte, Harris County, Texas,  
from Mid Density Residential (R-2) to General Commercial (GC).  
Applicant: Rodney Slaton

***Ian Clowes, City Planner  
Planning and Development Department  
City of La Porte, Texas***

## Planning and Development Department Staff Report

---

### ISSUE

Should the Planning and Zoning Commission recommend approval to the City Council of the proposed rezoning of a 6.69 acre parcel legally described as Tract 19C, Abstract 482 W Jones Subdivision, from Mid Density Residential (R-2) to General Commercial (GC)?

### RECOMMENDATION

Staff recommends the Planning and Zoning Commission consider a recommendation for approval of the proposed zone change request.

### DISCUSSION

Applicant:

The applicant is Rodney Slaton, on behalf of WH Casserly, owner of the 6.69 acre parcel.

Location:

The subject site is located on the north side of Fairmont Parkway, between Brookwood Dr. and Canada Rd. The site is currently undeveloped.

Background Information:

The property is currently undeveloped and is adjacent to an existing senior care facility to the west. The owner of the property would like to change the zoning to GC in order to construct a mini-warehouse/self-storage facility on site.

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

	Zoning	Land Use
<b>North</b>	R-1, Low Density Residential	Single Family Subdivision
<b>South</b>	Bayport Industrial District	Undeveloped
<b>West</b>	R-2, Mid Density Residential	Senior Care Facility
<b>East</b>	R-2, Mid Density Residential	Undeveloped

The site is currently identified as Mid Density Residential in the Future Land Use Map. As a result, in order to rezone the property, the city’s Future Land Use Map should be amended to identify this site as Commercial.

**Notification Requirements:**

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case notice was sent to all property owners and residents within the rezoning area; 4 signs were posted in the area of the rezoning 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 for a commercial use to be constructed on this site would be consistent with the use pattern of the area. General Commercial is a reasonable use along Fairmont Parkway.
2. *Access.* There is sufficient existing right-of-way access.
3. *Utilities.* Both water and sewer services are available along Fairmont Pkwy.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed development would not be consistent with adjacent properties. Fairmont Pkwy does lend itself for future commercial uses.
Conformance of a zoning request with the land use plan.	The proposed zone change is not in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed rezoning would be consistent with the development pattern along this section of Fairmont Pkwy.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The proposed development will be consistent with other the overall commercial developments along Fairmont Pkwy. Screening requirements will ensure that any impact to the adjacent residential property to the north will be as minimal as possible.

Planning and Zoning Commission Regular Meeting  
February 16, 2017  
Zone Change 16-9200007

The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed zone change will have minimal impact on the traffic in the vicinity.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	The proposed zone change will not create excessive air pollution or other negative environmental issues.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed zone change will allow a vacant parcel to develop in a manner consistent with other properties along Fairmont Pkwy.

Conclusion:

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed rezone from Mid Density Residential (R-2) to General Commercial (GC).

**ATTACHMENTS**

- Exhibit A: Application
- Exhibit B: Zoning Area Map



Zone Change Application  
Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 Fairmont Parkway  
Legal description where zone change is being requested: TR 19C ABST 482 W Jones  
HCAD Parcel Number where zone change is being requested: 043-148\*000-0160  
Zoning District: R-2 Medium Density Residential Lot area: 6.69 ~~acres~~ acres  
A request for approval of a zone change is hereby made to the City of La Porte.  
Description of Request: Want to change from R-2 to GC

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: 0 WH Casserly  
Company (if applicable): Southern Exec Group Inc  
Address: 6219 Lynbrook Dr  
City: Houston State: Tx Zip: 77057-1140  
Phone: 1000 Email: \_\_\_\_\_

AUTHORIZED AGENT (if other than owner)

Name: Rodney Slaton  
Company (if applicable): Trinity Bay Engineering  
Address: 911 South 8th Street  
City: La Porte State: Tx Zip: 77571  
Phone: 281-827-3929 Email: rodney@trinitybayengineering.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: Rodney Slaton Date: 12-27-16  
Owner(s)' Signature(s): Willie H. Casserly Date: 12-13-16

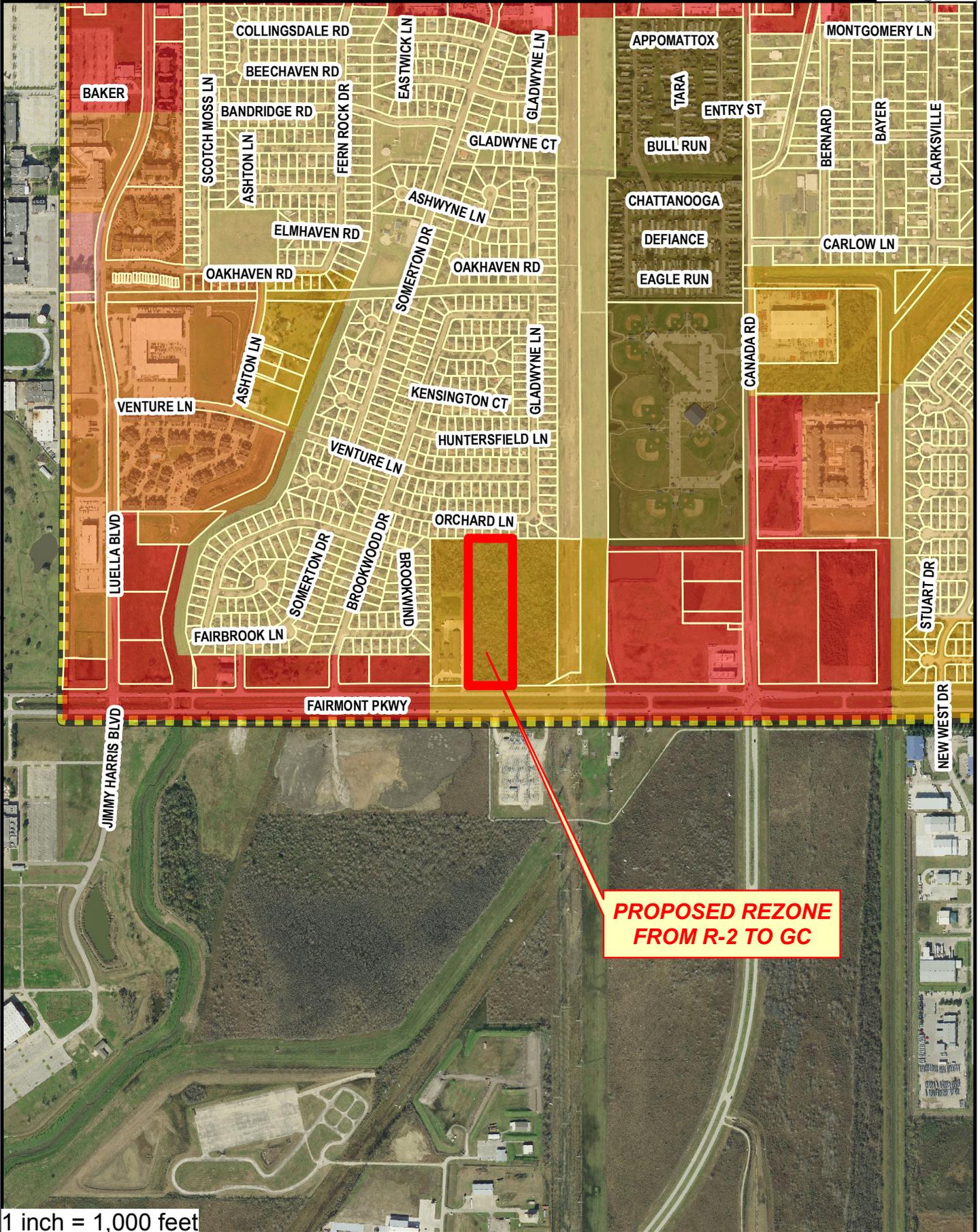
STAFF USE ONLY:

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

Date Application Received:  
\_\_\_\_\_

# AREA MAP

**#16-9200007**



**PROPOSED REZONE  
FROM R-2 TO GC**

1 inch = 1,000 feet

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



**February 16, 2017**

## **AGENDA ITEM 7**

Consider approval of an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 6.690 acre tract of land known as Tract 19C, Abstract 482 W Jones Subdivision from "Mid Density Residential" use to "Commercial" use.

*Ian Clowes, City Planner*  
*Planning and Development Department*  
*City of La Porte, Texas*

## **Planning and Development Department Staff Report**

---

### **ISSUE**

Consider a recommendation of approval to the City Council for an amendment to the city's Future Land Use Plan as demonstrated in the attached Exhibits A and B.

### **RECOMMENDATION**

Should the Planning and Zoning Commission desire to recommend approval of Agenda Item Requests (#4) pertaining to the zone change of a 6.69 acre tract of land from R-2 to GC, then the city's Future Land Use Plan should be amended as described in this item.

### **DISCUSSION**

Staff is presenting for consideration an amendment to the city's Future Land Use Plan in conjunction with a request by Rodney Slaton to rezone a 6.69 acre tract of land from R-2 to GC. The site is currently undeveloped and is located on the north side of Fairmont Parkway between Brookwood Dr. and Canada Rd.

The city's Future Land Use Plan (FLUP) identifies this property as "Mid Density Residential" land use. In order to accommodate the proposed development, the FLUP would need to be amended to allow for "Commercial" use. 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 shows the proposed future land use plan.

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

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

Planning and Zoning Commission Regular Meeting  
February 16, 2017  
Future Land Use Plan Amendment

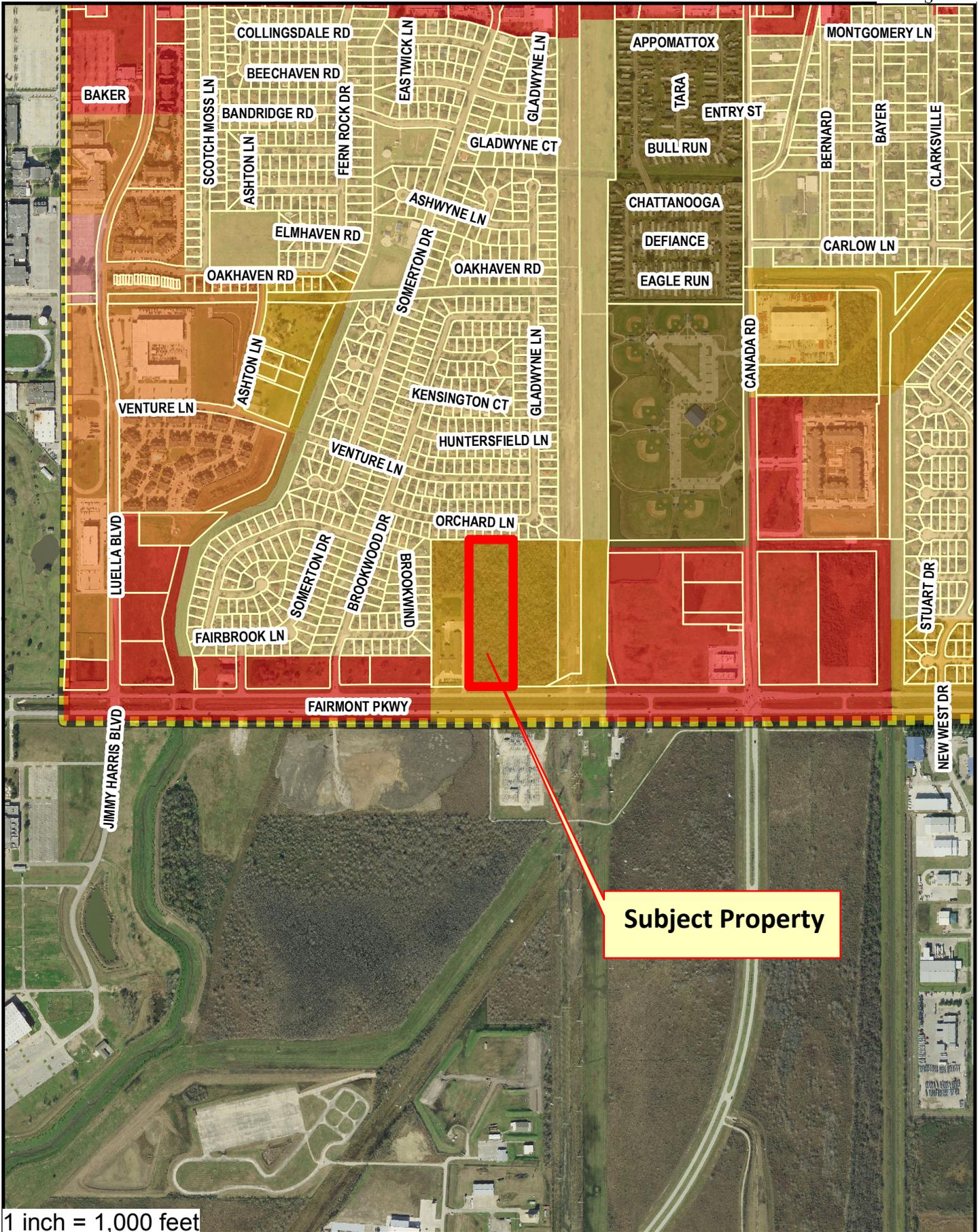
	<b>Land Use</b>	<b>Development</b>
<b>North</b>	Low Density Residential	Single Family Subdivision
<b>South</b>	Bayport Industrial District	Undeveloped
<b>West</b>	Mid Density Residential	Senior Care Facility
<b>East</b>	Mid Density Residential	Undeveloped

**ATTACHMENTS**

- Exhibit A: Current Future Land Use Plan
- Exhibit B: Proposed Future Land Use Plan

# CURRENT FLUP

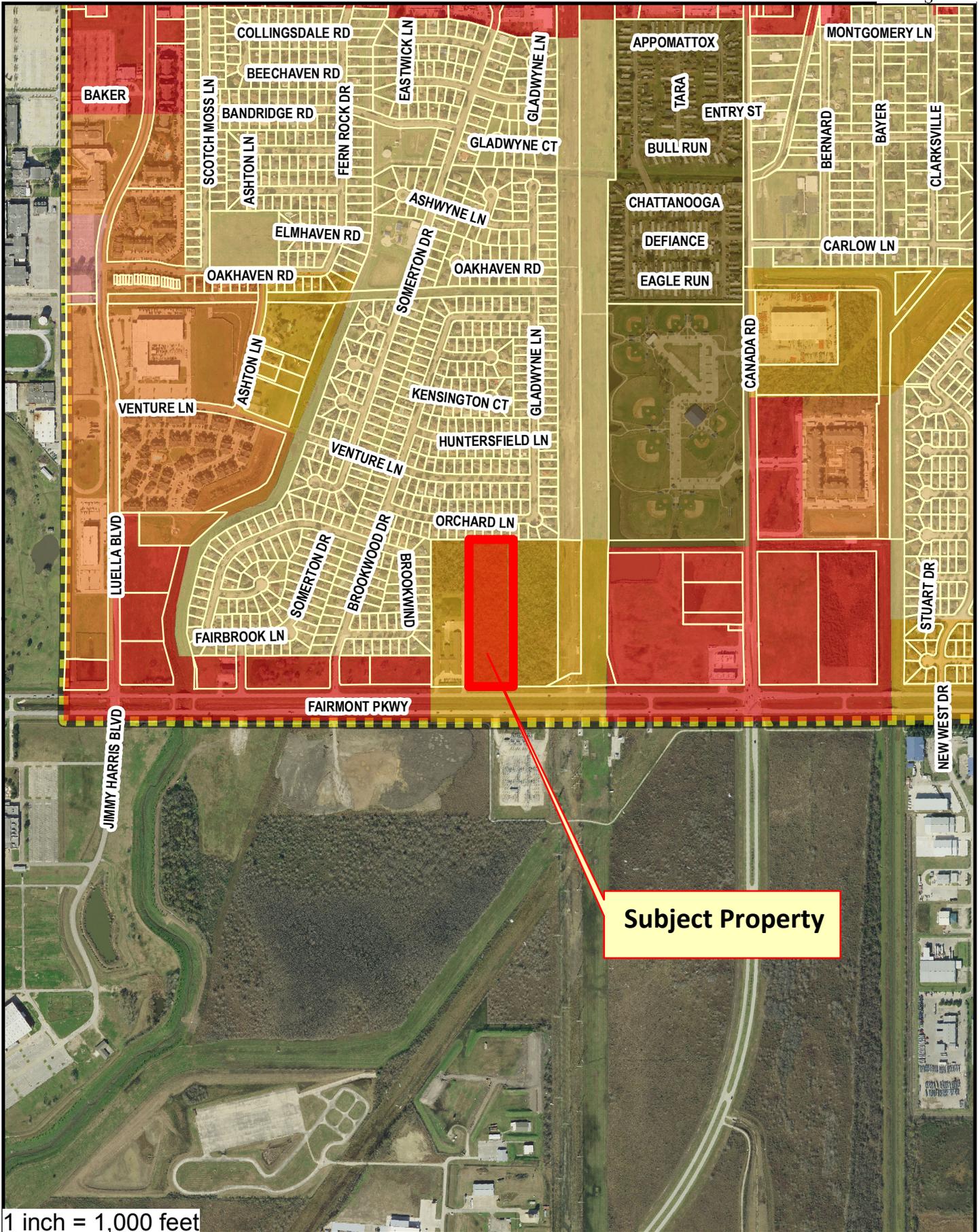
#16-9200007



1 inch = 1,000 feet

# PROPOSED FLUP

#16-9200007



Subject Property

1 inch = 1,000 feet

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



**February 16, 2017**

## **AGENDA ITEM 8**

Discussion on proposed Truck Parking Ordinance

*Ian Clowes, City Planner  
Planning and Development Department  
City of La Porte, Texas*

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING REGULATIONS RELATED TO THE PARKING OF COMMERCIAL MOTOR VEHICLES AT RENTAL PARKING LOT BUSINESSES IN COMMERCIAL AND INDUSTRIAL ZONES; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

**Section 1:** That Chapter 106, “Zoning,” Section 106-1 “Definitions”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by revising the following definition, which shall be included to said section in the proper alphabetical sequence:

**Sec. 106-1. Definitions.**

...

*“Commercial motor vehicle means ~~any motor vehicle designed or used for the transportation of persons or property for hire, with a rated carrying capacity in excess of one ton, including every vehicle used for delivery purposes.~~ 1) a vehicle or combination of vehicles with an actual gross weight, a registered gross weight, a gross weight rating or any combination in excess of 26,000 pounds; 2) a farm vehicle or combination of farm vehicles with an actual gross weight, a registered gross weight, or a gross weight rating of 48,000 pounds or more when operating intrastate; 3) a vehicle transporting hazardous materials requiring a placard; 4) a motor carrier transporting household goods for compensation in commerce in a vehicle not defined in Texas Transportation Code, Sec. 548.001(1); 5) a foreign commercial motor vehicle that is owned or controlled by a person or entity that is domiciled in or a citizen of a country other than the United States; or 6) a contract carrier transporting the operating employees of a railroad on a road or highway of the State of Texas in a vehicle designed to carry 15 or fewer passengers.”*

**Section 2:** That Chapter 106, “Zoning,” Article I. “In General”, Section 106-310 “Table A, Commercial & Industrial Uses”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by adding new Footnote 16 to uses designated under NAICS Code 812930, such amendment to be inserted within “Table A, Commercial & Industrial Uses”, under NAICS Code 812930, and the text of said Footnote 16 to be added to the listing of footnotes after “Table A, Commercial & Industrial Uses”, in proper numerical sequence, as follows:

**“Sec. 106-310. - Table A, Commercial & Industrial Uses.**

2012 NAICS Code	2012 NAICS Title	**	NC	MS	GC	MU	BI	LI	HI
812930	Parking Lots and Garages			C <sup>16</sup>	P <sup>16</sup>		P <sup>16</sup>	P <sup>16</sup>	P <sup>16</sup>

16. Parking of commercial motor vehicles prohibited.”

**Section 3.** Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

**Section 4.** Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

**Section 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

**Section 6.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 7.** This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF LA PORTE, TEXAS

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

\_\_\_\_\_  
Clark T. Askins, Assist. City Attorney

DRAFT