



PLANNING AND ZONING COMMISSION MEETING AGENDA

Notice is hereby given of a **Regular Meeting** of the La Porte **Planning and Zoning Commission** to be held on **Thursday, October 19, 2017** at 6:00 p.m. at City Hall Council Chambers, 604 W. 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:**
 - a. September 21, 2017 Meeting
- 4. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #17-91000004, a request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner. The request is for approval of a SCUP to allow for a warehouse/distribution and trucking facility to locate within the Planned Unit Development (PUD) zoning district, on a 5.051 acre tract of land, legally described as Blocks 1143 and 1144, La Porte Subdivision.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or question)
 - d. Question and Answer
- 5. ADJOURN PUBLIC HEARING**
- 6. CONSIDERATION:** Consider recommendation to City Council on SCUP #17-91000004
- 7. GENERAL PLAN:** Consider approval or other action regarding a request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner for approval of the proposed General Plan for the 5.051 acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, located on S. 16th St. north of the W. M St. ROW.
- 8. PUBLIC HEARING:** Open Public Hearing to receive input on an ordinance amending Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte, amending the sections 106-741 and 106-771 regarding changes to the allowed uses in the Neighborhood Commercial (NC) zoning district.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or question)
 - d. Question and Answer

9. ADJOURN PUBLIC HEARING

10. CONSIDERATION: Consider recommendation to City Council on changes to Chapter 106 “Zoning” of the Code of Ordinances.

11. PUBLIC HEARING: Open public hearing to receive input on an application for Special Conditional Use Permit (SCUP) #17-91000003, a request Alan Calaway, applicant; to allow for an Indoor Gun Range and Retail Space, to locate on a tract of land legally described as the northern 256’ wide strip of Tract 1L, Johnson Hunter Survey, Abstract No. 35.

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Comments (for, against, or question)
- d. Question and Answer

12. ADJOURN PUBLIC HEARING

13. CONSIDERATION: Consider recommendation to City Council on SCUP #17-91000003

14. DISCUSSION ITEM

- a. Port Crossing SCUP amendment process and possible action to provide direction to staff.
- b. Jurisdictional enforcement of state and local regulations on streets within La Porte city limits.

15. ADMINISTRATIVE REPORTS

16. COMMISSION COMMENTS on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.

17. 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, October 19, 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: _____

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



October 19, 2017

AGENDA ITEM 3

Consider approval of the Meeting Minutes
from September 21, 2017

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

**Planning and Zoning Commission
Minutes of September 21, 2017**

Commissioners Present: Richard Warren, Trey Kendrick, Wyatt Smith, Nick Barrera, Mark Follis, Christina Tschappat and Chairman Hal Lawler

Commissioners Absent: Lou Ann Martin and Helen LaCour

City Staff Present: Assistant City Attorney Clark Askins, Planning and Development Director Richard Mancilla, City Planner Ian Clowes, and Planning Technician Ryan Cramer

1. Call to Order.

Chairman Hal Lawler called the meeting to order at 6:00 p.m.

2. Roll call of members.

Commissioners Lou Ann Martin and Helen LaCour were not present for roll call.

3. Consider approval of the meeting minutes: August 17, 2017 Meeting

Motion by Commissioner Kendrick to approve

Second by Commissioner Smith. **Motion carried.**

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, Follis, Tschappat, and Chairman Lawler

Nays:

4. Consider a request by Kevin Polasek of Terra Associates, Inc.; for approval of a major development site plan (#17-83000002) for a proposed spec warehouse distribution facility on a 34.69 acre parcel located at 1302 Wharton Weems Blvd.

Chairman Lawler introduced the request.

a. Staff Presentation

City Planner Clowes gave staff's presentation.

Commissioner Follis had some questions regarding addressing, fire hydrant spacing, and adjacent property owners. City Planner Clowes stated that he would make sure these items are addressed.

5. Consider approval of Major Development Site Plan #17-83000002.

Motion by Commissioner Kendrick to approve.

Second by Commissioner Barrera. **Motion carried.**

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, Follis, Tschappat, and Chairman Lawler
Nays:

6. **Open a public hearing to receive input on an application for Special Conditional Use Permit (SCUP) #17-91000002, a request of Jeff Davis, applicant; on behalf of Port of Houston Authority of Harris County, Texas, owner; to amend the existing SCUP allowing for the hours of operation to be extended on a tract of land legally described as Reserve A, Block 1, Port of Houston Authority.**

Chairman Lawler opened the public hearing at 6:18 p.m.

a. Staff Presentation

City Planner Clowes gave staff's presentation. City Planner Clowes noted the proposed SCUP is an amendment to an existing SCUP which was approved in 2003.

The Commission expressed concern with additional trucking noise if the hours were to be extended, as well as additional traffic along Barbours Cut.

b. Applicant Presentation

Applicant Jeff Davis explained that the traffic is already there and that extending the hours will allow them to reduce overall traffic along Barbours Cut by allowing it to be more spread out throughout the day.

c. Public Comments

No Public Comments.

d. Question and Answer

The commission discussed how they had concerns over noise and traffic yet growth at the port is inevitable.

7. **Close public hearing:**

The public hearing was closed at 6:44

8. **Consider a recommendation to the City Council or other action on SCUP #17-91000002.**

Motion by Commissioner Kendrick to recommend approval.

Second by Commissioner Follis. **Motion carried.**

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, Follis, and Chairman Lawler.

Nays: Commissioner Tschappat

9. **Open a public hearing to receive input on an application for Special Conditional Use Permit (SCUP) #17-91000003, a request Alan Calaway, applicant; to allow for an Indoor Gun Range and Retail Space, to locate on a tract of land legally described as the northern 256' wide strip of Tract 1L, Johnson Hunter Survey, Abstract No. 35.**

Chairman Lawler opened the public hearing at 6:46 p.m.

- a. **Staff Presentation**

City Planner Clowes gave staff's presentation. City Planner Clowes explained that the proposed SCUP is to allow for a conditional use permit for a Shooting Range within the previously approved La Porte Town Center SCUP.

- b. **Applicant Presentation**

Applicant Alan Calaway explained that he was already planning to be part of the La Porte Town Center but cannot wait any longer for the development to begin. He stated that he is more than willing to comply with the proposed development.

- c. **Public Comments**

David Miles, 907 S. Friendswood Dr. Friendswood, TX 77546 stated that if the applicant were to be allowed to develop his shooting range as proposed, it would prevent the La Porte Town Center from being developed as approved.

- d. **Question and Answer**

There was much discussion amongst staff and the commission. Most centered on whether driveway cuts along SH 146 would be permitted, concern that the development of the shooting range would go against the overall plan for the La Porte Town Center, and concern that the required internal roads would not get built as planned.

10. **Close public hearing:**

The public hearing was closed at 8:08

11. **Consider a recommendation to the City Council or other action on SCUP #17-91000003.**

Motion by Commissioner Follis to table the item until October 19th.

Second by Commissioner Smith. **Motion carried.**

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, Follis, Tschappat, and Chairman Lawler.

Nays:

12. **Open a Public Hearing to receive input on an application for Zone Change #17-92000003, a request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner. The request is for approval of a zone change from General**

Commercial (GC) to Planned Unit Development (PUD), on a 5.051 acre tract of land, legally described as Blocks 1143 and 1144, La Porte Subdivision.

Chairman Lawler opened the public hearing at 8:32 p.m.

a. Staff Presentation

City Planner Clowes gave staff's presentation. City Planner Clowes explained that the applicant is seeking a PUD zoning designation in order to apply for a future SCUP application which will allow them to move their current trucking terminal to the site. It was noted that this item was simply for the zone change to PUD and no uses were being approved at this time.

b. Applicant Presentation

Applicant Jeff Presnal introduced MR. Allen Baity of Core Trucking as the potential developer of the property and explained briefly what the current business operations consist of.

c. Public Comments

No Public Comments.

d. Question and Answer

The commission had questions regarding what will happen if the future SCUP is never proposed or approved. City Planner explained that the PUD zoning designation would require any future use to obtain a SCUP from the commission prior to development.

13. Close public hearing:

The public hearing was closed at 8:51

14. Consider a recommendation to the City Council or other action on Zone Change Request #17-9200003.

Motion by Commissioner Barrera to recommend approval.

Second by Commissioner Warren. **Motion carried.**

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, and Chairman Lawler.

Nays: Commissioners Follis and Tschappat

15. 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 5.051 acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, from "Commercial" to "Light Industrial."

a. Staff Presentation

City Planner Clowes gave staff's presentation. City Planner Clowes explained the proposed Future Land Use Amendment was necessary in order to match the previously approved PUD zoning.

16. Consider a recommendation to the City Council or other action for the Future Land Use Plan Amendment.

Motion by Commissioner Kendrick to recommend approval.

Second by Commissioner Barrera. **Motion carried.**

Ayes: Commissioners Kendrick, Warren, Barrera, and Chairman Lawler.

Nays: Commissioners Follis, Smith, and Tschappat

17. Discussion on changes to the Neighborhood Commercial Zoning District.

The commission stated they were okay with the proposed list and directed staff to bring back the draft ordinance as a public hearing at the next meeting.

18. Discussion Items.

Commissioner Kendrick made a motion to table the remaining discussion items until the October 19th meeting. The motion was seconded by Commissioner Smith. The motion Carried 7-0.

19. Administrative reports.

None.

20. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.

None.

21. Adjourn

Motion by Commissioner Tschappat to adjourn.

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

Ayes: Commissioners Smith, Kendrick, Warren, Barrera, Follis, Tschappat, and Chairman Lawler.

Nays:

Chairman Lawler adjourned the meeting at 9:06 p.m.

Respectfully submitted,

Trey Kendrick
Secretary, Planning and Zoning Commission

Passed and Approved on _____, 2017.

Hal Lawler
Chairman, Planning and Zoning Commission

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



October 19, 2017

AGENDA ITEMS 4-6

Special Conditional Use Permit #17-91000004

A request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner for approval of a SCUP to allow for a Warehouse/ Distribution and Trucking Facility in the PUD zoning district; on approximately 5.051 acres of land, legally described as Blocks 1143 and 1144, La Porte Subdivision

*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 of a SCUP to allow for a Warehouse/Distribution and Trucking Facility in the PUD zoning district; on approximately 5.051 acres of land, legally described as Blocks 1143 and 1144, La Porte Subdivision?

DISCUSSION

Location:

The subject site is located on the east side of S. 16th St., north of the W. M St. ROW. The site is currently undeveloped.

Background Information:

The property is currently undeveloped. The owner of the property is in the process of changing the zoning to PUD. The proposed Special Conditional Use Permit (SCUP), will allow them to construct a wholesale trucking facility. Preliminary layouts for the project show a 7,200 square foot facility with 7 truck docks. The proposed site plan shows the building fronting onto S. 16th St. with the truck docks to the rear, not visible from S. 16th.

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

	Zoning	Land Use
North	GC, General Commercial	Undeveloped/Bar
South	PUD	Port Crossing Industrial Park
West	LI, Light Industrial	Industrial Trucking Facility
East	GC, General Commercial	Undeveloped

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 light industrial use to be constructed on this site would be consistent with the use pattern of the area. Additionally, through the SCUP approval process, the commission has the ability to build in certain protections regarding outside storage and screening that should minimize the visual impacts of the proposed use.
2. *Access.* There is sufficient existing right-of-way access.
3. *Utilities.* Water and sewer services are available along W. M and S. 16th.

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 be consistent with adjacent properties. Adjacent properties to the south and west have recently been developed for light industrial uses.
Conformance of a zoning request with the land use plan.	The proposed SCUP will be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed SCUP would be consistent with the development pattern along this section of S. 16 th St.
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 industrial developments along S. 16 th St.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed SCUP will have minimal impact on the traffic in the vicinity. S. 16 th St. is labeled as a High Frequency Truck Route.
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 SCUP 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 SCUP will allow a vacant parcel to develop in a manner consistent with other properties along S. 16 th St.
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RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed SCUP to allow for a Warehouse/Distribution and Trucking Facility in the PUD zoning district.

ATTACHMENTS

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

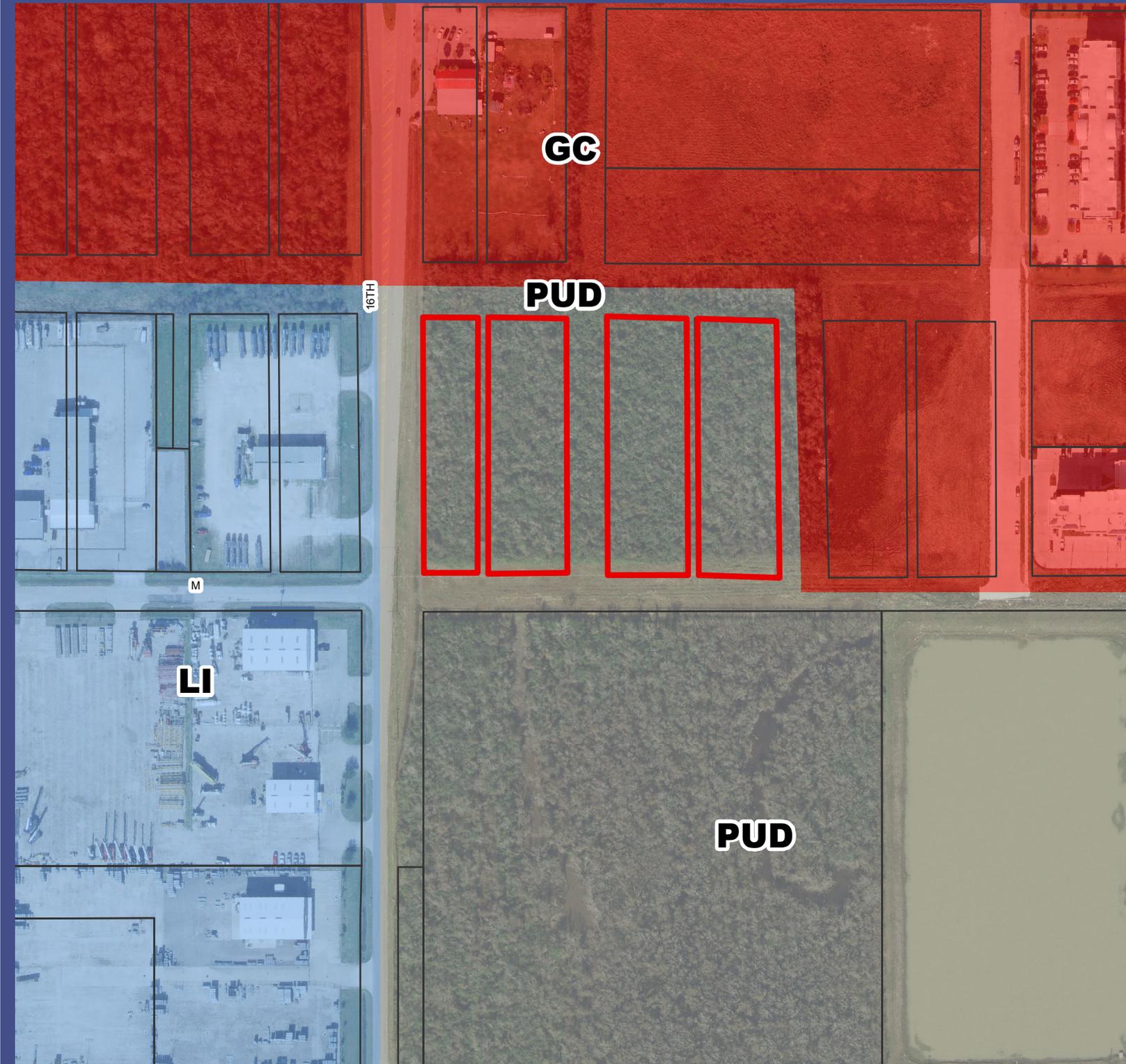


EXHIBIT B

ZONING MAP

SCUP

#17-9100004

NE Corner

S. 16th and W. M

 Subject Parcel



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

1 inch = 211 feet



OCTOBER 2017
PLANNING DEPARTMENT



EXHIBIT C
LAND USE MAP

SCUP
#17-91000004

NE Corner
S. 16th and W. M

 Subject Property



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

1 inch = 212 feet

SEPTEMBER 2017
 PLANNING DEPARTMENT



11. The following uses shall not be permitted on the subject property: (a) No shipping containers, equipment or raw materials will be stored "off chassis" overnight anywhere on the property, and (b) No stacking of containers will occur anywhere on site.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning and Development

City Secretary



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 4.22 acres, 0 N. 16th St., La Porte TX 77571 + 0.8264 acres
 Legal description where SCUP is being requested: Lots 1-32, Blk 1144, Lots 17-32 & Tracts 1-16 (incl. 15th St
 HCAD Parcel Number where SCUP is being requested: 0242030430001 ROW & alleys of 0.8264 acres)
 Zoning District: General Commercial Lot area: 4.22 acres
 A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.
 Description of Request: Change current zoning from General Commercial to SCUP with PD

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: F. Carrington Weems
 Company (if applicable): _____
 Address: 1603 W. Clay St.
 City: Houston State: TX Zip: 77019-4915
 Phone: 713-528-6386 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Jeff Presnal
 Company (if applicable): Cypressbrook Management Company, LP
 Address: 1776 Woodstead Court, Suite 218
 City: The Woodlands State: TX Zip: 77380
 Phone: 832-403-2872 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: Jeff Presnal *Jeff Presnal* Digitally signed by Jeff Presnal Date: 2017.08.23 17:34:45 -0500 Date: 8/21/17
 Owner(s)' Signature(s): _____ Date: 8/21/17

STAFF USE ONLY:

Case Number:
17-91000004

Date Application Received:
09/17/2017



1776 Woodstead Ct., Suite 218 The Woodlands, TX 77380
(D) 832-403-2872 ~ (F) 281.364-1743
Email: jpresnal@cypressbrook.com

Mr. Ian Clowes
City Planner
Planning and Development Department
City of La Porte, Texas
604 W. Fairmont Parkway
La Porte, Texas 77571

VIA-Email: clowesi@laportetx.gov

September 25, 2017

RE: Justification for Zoning Change from General Commercial to PUD with SCUP, Lots 1-32 of Block 1143 and Lots 1-32 of Block 1144 (including two 15' Alleys and the 15th Street ROW)

Dear Mr. Clowes:

Please allow this letter to satisfy the requirements outlined in the City of La Porte Special Conditional Use Permit (SCUP) Application that is the subject of this letter.

Cypressbrook has the tracts referenced above under contract for purchase and we are working for a local company to develop it as a commercial trucking transfer facility.

The following information is provided to justify or outline our request:

1. The development is anticipated to include an approximately 10,000 square foot truck transfer facility with the following attributes:
 - 7 dock high truck transfer bays designed to face away from the street and accommodate truck maneuvering away from the street and visually screened from the street view;
 - Parking sufficient to meet current code requirements;
 - On site detention to meet engineering requirements that will outfall into the 16th Street storm system;
 - Water and sanitary sewer utilities available in the 16th Street ROW sufficient for the development;
 - Ingress/egress drive on 16th Street sufficient to meet current requirements; and
 - Ability to expand to the north in the future to meet future anticipated growth needs.
2. The adjacent property uses are as follows: to the west- Light Industrial, to the south Planned Unit Development, to the north General Commercial and to the east General Commercial;;
3. NAICS Code 484110 is appropriate for the site;

4. Numerous tracts within blocks of the site are either Light Industrial or Heavy Industrial including the Bayport Industrial District;
5. We received approval from the La Porte Planning and Zoning Commission of our PD zoning change application on September 21, 2017;
6. The site is on 16th Street which is designated as a High Frequency Truck Route;
7. The site contains other property designated as 60' ROW for 15th Street as well as two 15' alleys and we have not only begun abandonment and closure through the Street and Alley Closure (SAC) process but have already received "No Objection" letters from the required utility providers. Area Summary Data is contained in the following chart:

AREA SUMMARY			
Lots	Block	Size (AC)	Size (SF)
1-16	1143	0.7805	34,000
1-16	1144	1.1478	50,000
17-32	1144	1.1478	50,000
17-32	1143	1.1478	50,000
Subtotal Lots		4.2239	184,000
15' Alley	1143	0.1377	6,000
15' Alley	1144	0.1377	6,000
15th ST. ROW	N/A	0.5510	24,000
Subtotal St & Alley Area		0.8264	36,000
Total Combined Area (Lots, Alleys & ROW)		5.0503	220,000

8. The following additional information is offered as part of our application:
 - a) The operator will not utilize nor allow any on site ground container storage.
 - b) Screening fencing can be provided as requested on 3 sides of the property.
 - c) The facility does not have the ability to remove containers from their transport chassis.
 - d) Operations are conducted 24/7 by the company in its current location and will not change in the new location.
 - e) Although they are currently located on 16th Street on the High Frequency Truck Route, the future owner and operator believes that this site offers a safer operation than its currently existing operation because it locates them north of the Spencer Highway and into a more industrial area instead of their current location south of the highway.

It is our belief that this request is both consistent and compatible with the surrounding land uses and will be an attribute to the City of La Porte as it retains jobs within the community, assists an existing business with its growth plans, and will provide a safer and more thoughtful development for the future.

Please do not hesitate to contact us with any questions that you may have.

Sincerely,



Jeff Presnal
Development Principal

Attachments:

- Property Survey (including alleys and 15th Street ROW)
- Site Plan

LINE	BEARING	DISTANCE
L1	N 90°00'00" E	85.00'
L2	N 90°00'00" E	125.00'
L3	N 90°00'00" E	125.00'
L4	N 90°00'00" E	125.00'
L5	S 90°00'00" W	125.00'
L6	S 90°00'00" W	125.00'
L7	S 90°00'00" W	125.00'
L8	S 90°00'00" W	85.00'

Notes:
 1. Basis of bearings: the West line of the subject property as scaled per the recorded plat.

This property lies within ZONE Shaded 'X' as SCALED from FEMA Map Panel Number 4820C0945-M, dated January 6, 2017.

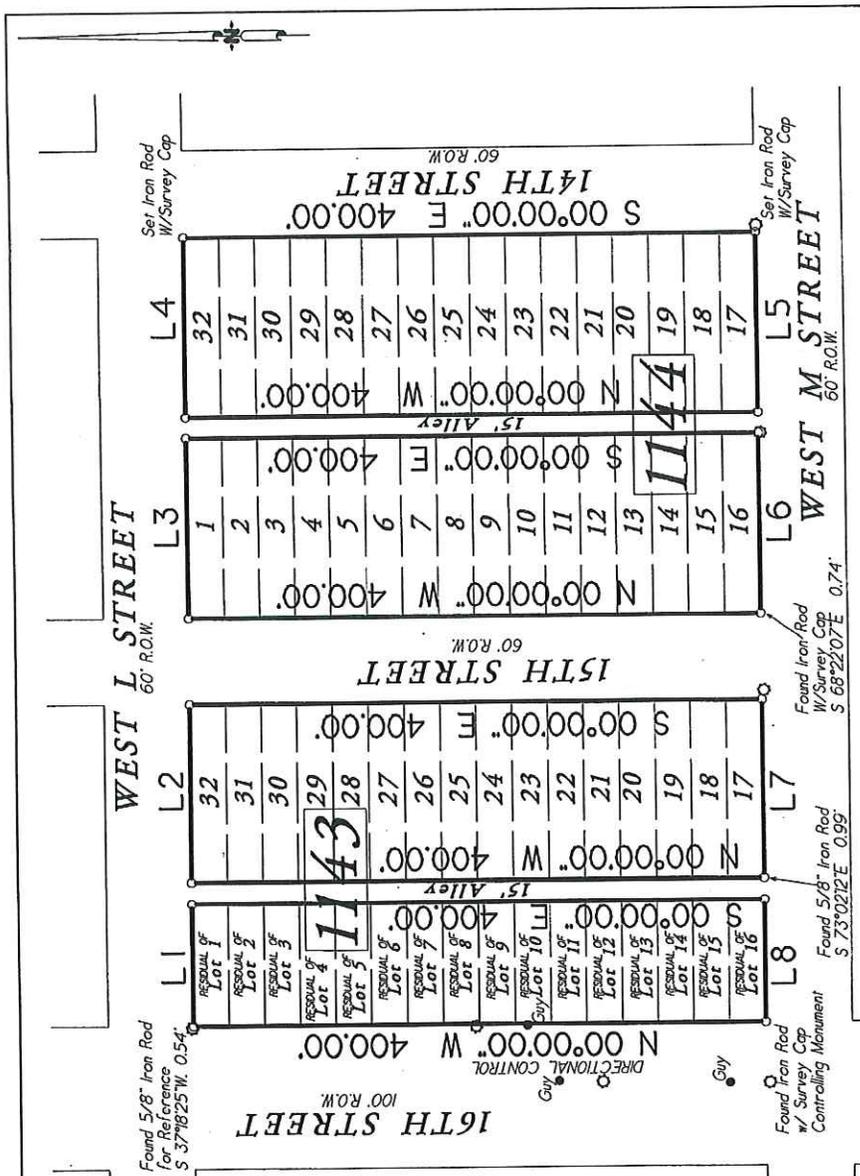
THIS MEANS THAT THE SUBJECT PROPERTY SCALES WITHIN THE 500 YEAR FLOOD PLAIN.

This determination is made strictly according to the FEMA Maps and does not reflect actual on ground flood conditions. Furthermore, this company takes no responsibility for such.

○ - POWER POLE

Lois	Block	Size
1-16	143	34,000 Sq Ft / 0.7805 Acre
1-16	144	50,000 Sq Ft / 1.1478 Acres
17-32	144	50,000 Sq Ft / 1.1478 Acres
17-32	143	50,000 Sq Ft / 1.1478 Acres
15 - Alley	143	6,000 Sq Ft / 0.1377 Acre
15 - Alley	144	6,000 Sq Ft / 0.1377 Acre
15th St.	-	24,000 Sq Ft / 0.5510 Acre

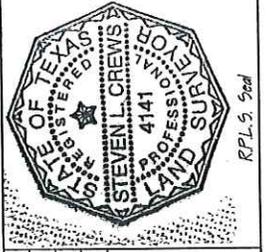
All of Blocks One Thousand One Hundred Forty Three (1143) and One Thousand One Hundred Forty Four (1144), an addition in Harris County, Texas according to the map or plat thereof recorded under Volume 60, Page 112 of the Deed Records of Harris County, Texas, including the 60 foot wide street between the two blocks and including the two 15 foot wide alleys within the blocks; SAVE AND EXCEPT that certain 0.3670 acre tract of land granted unto Harris County by Award of the Special Commissioners, a copy of which is recorded under Harris County Clerk's File No. 20090060467.



Client: Fidelity National Title Company
 Cypressbrook Management Company

I HEREBY CERTIFY THIS SURVEY WAS MADE ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR THE SURVEY, AND THAT THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN.

Client: Steven L. Crews R.P.L.S. # 4141



Date: April 23, 2017
 Job No: 17-0158
 Address: La Porte, Texas
 City, State, Zip: La Porte, Texas, 77571
 Scale: 1" = 100'
 Drawn By: RM
 Rev: 0

C & C Surveying, Inc.
 7424 F.M. 1488, Suite A, Magnolia, Texas 77354
 Office: 281-259-4377 Metro: 281-356-3172
 Fax: 281-356-1935
 Email: onesurveyatime@cbeglobal.net



AFFIDAVIT OF POSTING
PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

- 1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application: ADDRESS: 4.22 acres (Lots) + 0.83 acres(15th St ROW and alleys), 0 N. 16th St., La Porte LEGAL DESCRIPTION: Lots 1-16 and 17-32 of Blocks 1143 and 1144 (including ROW and alleys)
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: October 4, 2017
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

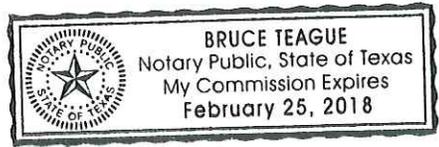
Handwritten signature of Jeff Presnal
Applicant's Signature
Jeff Presnal
Applicant's Printed Name

Subscribed and sworn before me this 25th day of September, 2017 by Jeff Presnal (Print Applicant's Name).

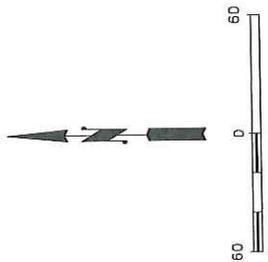
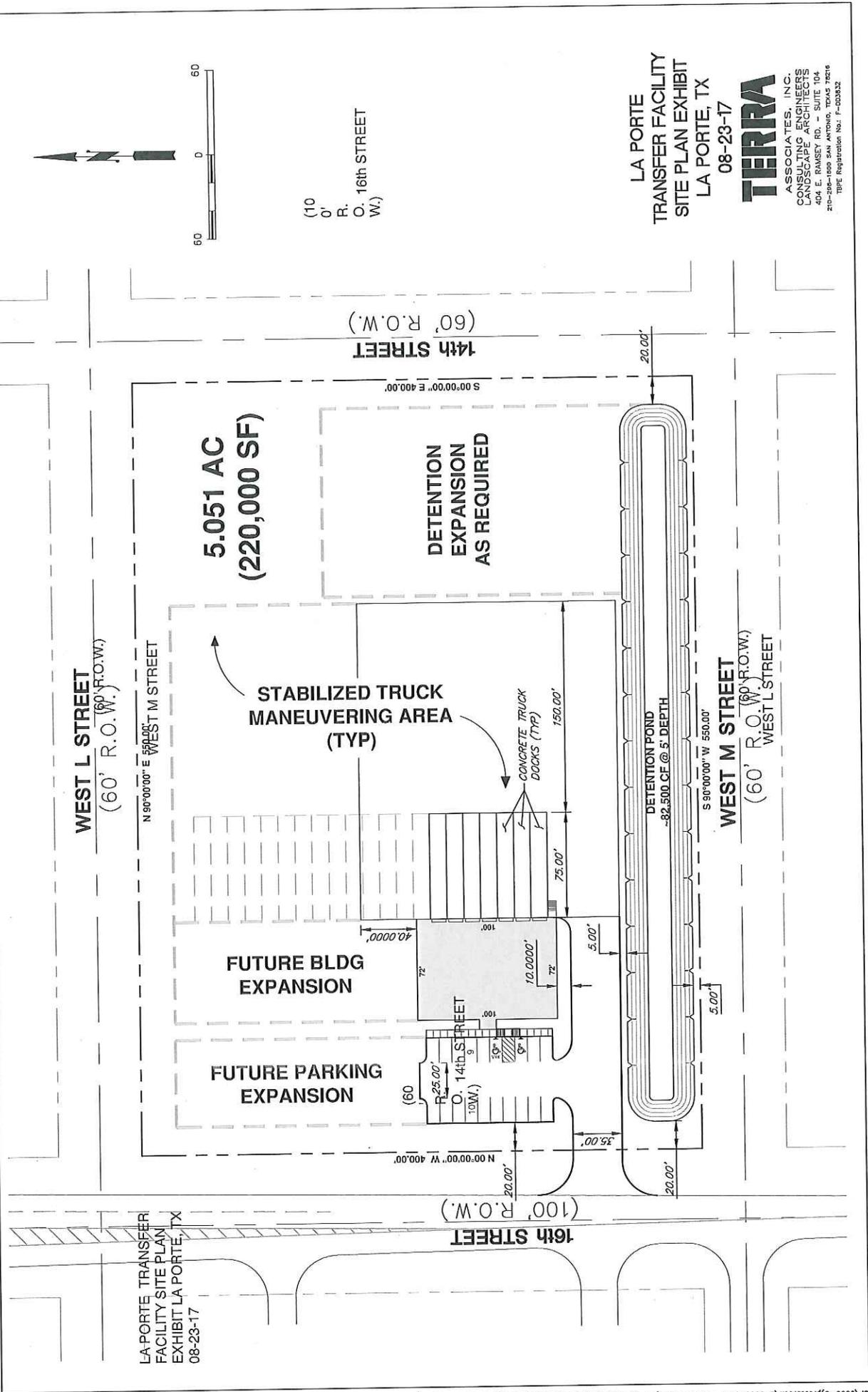
Handwritten signature of Notary Public
Notary Public

My commission expires: 2-25-2018

(Seal)



LA PORTE TRANSFER
FACILITY SITE PLAN
EXHIBIT LA PORTE, TX
08-23-17



(10
0'
R.
O.
16th STREET
W.)

LA PORTE
TRANSFER FACILITY
SITE PLAN EXHIBIT
LA PORTE, TX
08-23-17

TERRA
ASSOCIATES, INC.
CONSULTING ENGINEERS
AND ARCHITECTS
404 E. RAMSEY RD. - SUITE 104
DALLAS, TEXAS 75216
TERRA Registration No.: F-003832

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



October 19, 2017

AGENDA ITEM 7

A request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner for approval of a General Plan to allow for a Warehouse/ Distribution and Trucking Facility in the PUD zoning district; on approximately 5.051 acres of land, legally described as Blocks 1143 and 1144, La Porte Subdivision

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

Planning and Development Department Staff Report

ISSUE

Consider a recommendation to the City Council on a request LLC for the La Porte Town Center General Plan to allow construction of a Warehouse/ Distribution and Trucking Facility on a 5.051 acre tract of land described as Blocks 1143 and 1144, La Porte Subdivision. This item would become an exhibit to the Special Conditional Use Permit (Agenda Item #4), should it be approved by the Planning and Zoning Commission and City Council.

RECOMMENDATION

Staff recommends approval of the proposed General Plan for Core Trucking, subject to a condition that any substantial deviation require an amendment to the General Plan approved by the Planning and Zoning Commission.

DISCUSSION

The applicant is seeking approval of this General Plan to allow for construction of a Warehouse/ Distribution and Trucking Facility on a 5.051 acre tract. The attached Exhibit A includes the proposed General Plan. The General Plan identifies the scale and scope of the proposed development.

The subject site is approximately 5.051 acres in area and is located on the east side of South 16th St. just north of the West M St. ROW. The attached Exhibit B is an Area Map showing the location of the subject property.

The attached Exhibit D identifies this parcel on the city's Future Land Use Plan, as adopted in the Comprehensive Plan. Currently the site is identified as "Light Industrial."

The site is zoned PUD, Planned Unit Development, and is vacant. The attached Exhibit B shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	GC, General Commercial	Undeveloped/Bar
South	PUD	Port Crossing Industrial Park
West	LI, Light Industrial	Industrial Trucking Facility

East	GC, General Commercial	Undeveloped
-------------	------------------------	-------------

Analysis:

General Plan review requires approval by the Planning and Zoning Commission; there is no review of the document by the City Council required. However, should the Commission approve the proposed General Plan, it would become an exhibit to the Special Conditional Use Permit (SCUP) application that is being reviewed as Agenda Item #4 and which recommendation will be forwarded to City Council for final approval. The General Plan is intended to provide for a conceptual layout of the proposed development.

Should City Council approve the proposed SCUP, the applicant will be required to submit application for a site development plan in compliance with applicable code requirements. The site plan will be required to comply with all requirements of Chapter 106, Zoning, of the city's Code of Ordinances including but not limited to parking, detention, façade design, landscaping, etc. unless a variance is approved by the Board of Adjustment.

The proposed development includes a 5.051 acre parcel of land. The development will initially include a 7,200 square foot facility facing S. 16th St. with 5-7 truck docks positioned in the rear.

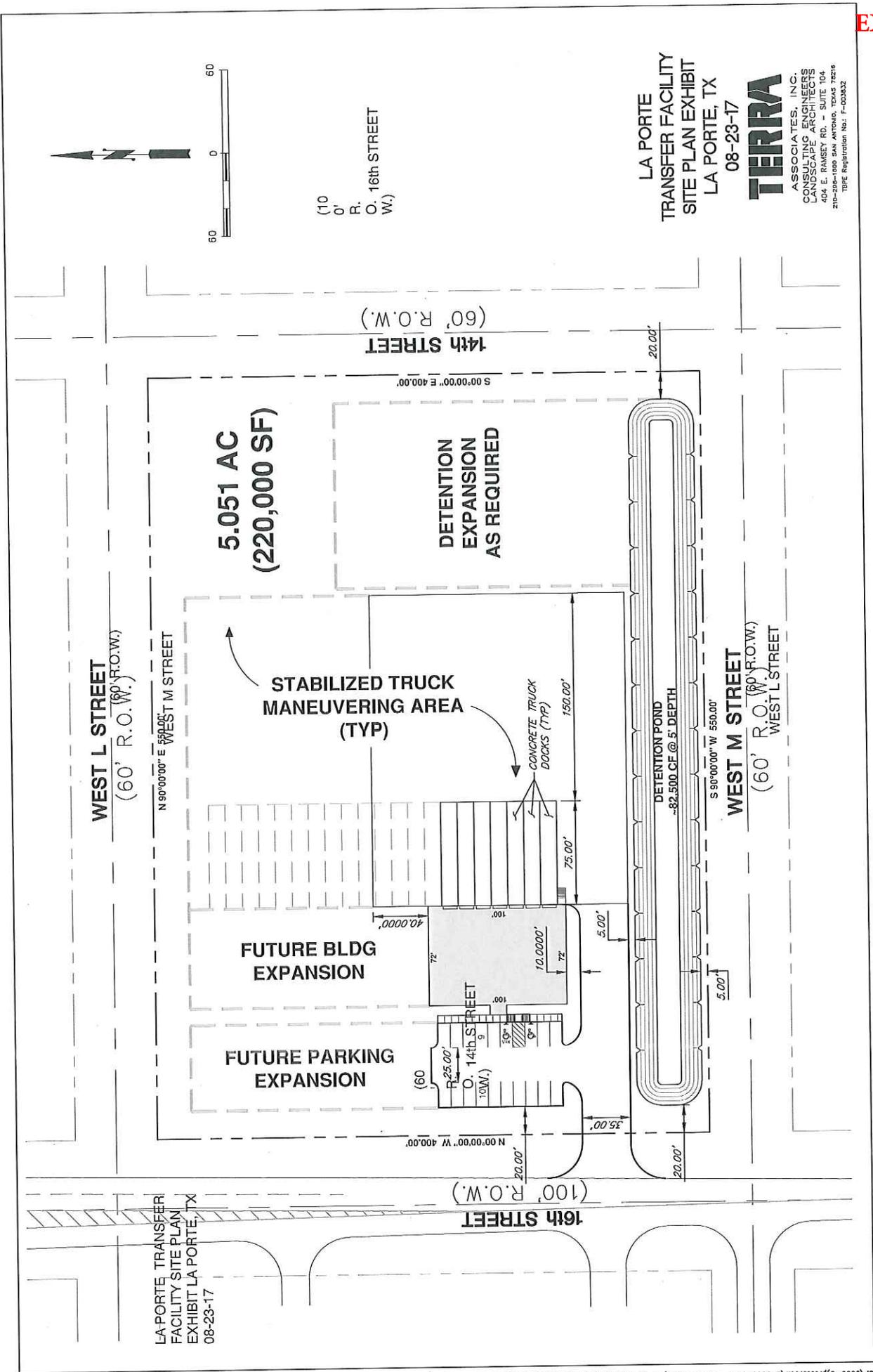
As part of the SCUP, staff has included a number of conditions related to the development and use of the building. Staff worked with the applicant on these conditions and have come to an agreement.

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission approve the proposed General Plan as an exhibit to SCUP #17-91000004, to allow for a Warehouse/Distribution and Trucking Facility in the PUD zoning district.

ATTACHMENTS

- Exhibit A: Proposed General Plan
- Exhibit B: Area Map
- Exhibit C: Zoning Map
- Exhibit D: Land Use Map



LA PORTE
TRANSFER FACILITY
SITE PLAN EXHIBIT
LA PORTE, TX
08-23-17

TERRA
ASSOCIATES, INC.
CONSULTING ENGINEERS
404 E. RAMSEY RD. - SUITE 104
DALLAS, TEXAS 75216
TERRA Registration No.: F-003832

LA PORTE TRANSFER
FACILITY SITE PLAN
EXHIBIT LA PORTE, TX
08-23-17

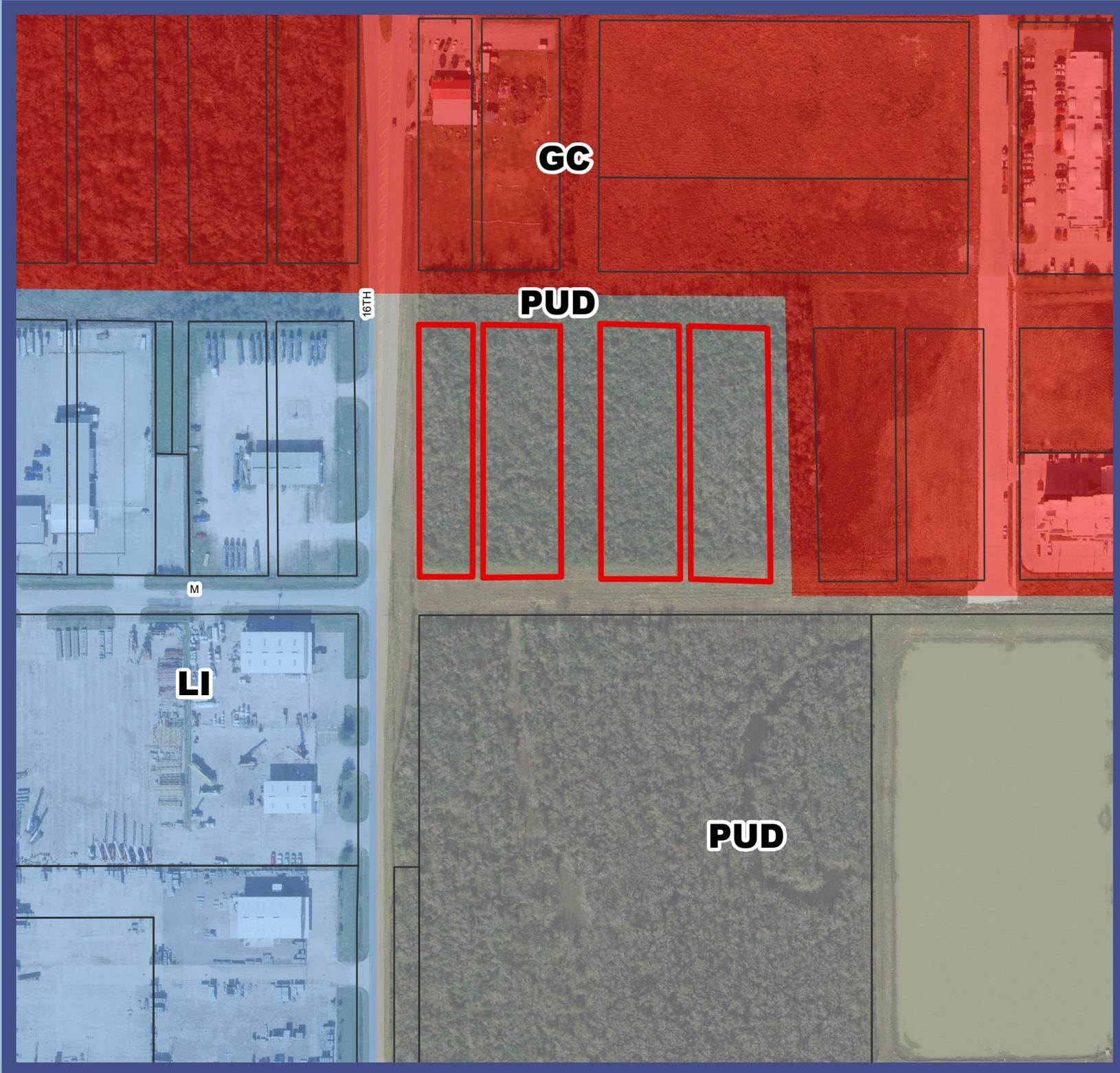


EXHIBIT C

ZONING MAP

**NE Corner
S. 16th and W. M**

 Subject Parcel



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

1 inch = 211 feet



**OCTOBER 2017
PLANNING DEPARTMENT**



EXHIBIT D

LAND USE MAP

**NE Corner
S. 16th and W. M**

 Subject Property



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

1 inch = 212 feet

SEPTEMBER 2017

PLANNING DEPARTMENT



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



October 19, 2017

AGENDA ITEMS 8-10

Proposed Ordinance language for Chapter 106 regarding
additional uses permitted in the NC Zoning District

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

Planning and Development Department Staff Report

BACKGROUND

Staff was asked to look into possible amendments to Chapter 106 that would add additional allowed uses to the Neighborhood Commercial (NC) zoning district. At the September 21, 2017 meeting of the Planning and Zoning Commission, staff presented a number of additional uses that were considered to be consistent with the NC zoning district that currently are not permitted. The NC zoning district has been a difficult zone for land owners and developers to find compatible uses that fit the lots and compliment the surrounding neighborhood. From the discussion that resulted, staff has crafted language for the proposed amendment. The draft version can be found below.

Sec. 106-310, Table A, Commercial and Industrial Uses

2012 NAICS Code	2012 NAICS Title	**	NC	MS	GC	MU	BI	LI	HI
71394	Fitness and Recreational Sports Centers		P	P	P		P	P	P
813110	Religious Organizations		P	C	P		P	P	P
812910	Pet Care (except Veterinary) Services		C 14	C 14	C 14		C 14	C 14	C 14
541214	Payroll Services		P		P		P	P	P
541219	Other Accounting Services		P		P		P	P	P
54131	Architectural Services		P		P		P	P	P
54132	Landscape Architectural Services		P		P		P	P	P
54133	Engineering Services		P		P		P	P	P
54134	Drafting Services		P		P		P	P	P
54135	Building Inspection Services		P		P		P	P	P
54136	Geophysical Surveying and Mapping Services		P		P		P	P	P
50137	Surveying and Mapping (except Geophysical) Services		P		P		P	P	P

REQUESTED ACTION

Staff recommends the Planning and Zoning Commission recommend approval of the proposed amendments to Chapter 106.

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



October 19, 2017

AGENDA ITEMS 11-13

Special Conditional Use Permit #17-9100003

A request of Alan Calaway, applicant; to allow for an Indoor Gun Range and Retail Space, to locate within the La Porte Town Center SCUP, located on a tract of land legally described as the northern 256' wide strip of Tract 1L, Johnson Hunter Survey, Abstract No. 35.

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

Consider a recommendation to the City Council on a request by Alan Calaway, applicant; to allow for an Indoor Gun Range and Retail Space, to locate within the La Porte Town Center SCUP, located on a tract of land legally described as the northern 256' wide strip of Tract 1L, Johnson Hunter Survey, Abstract No. 35.

DISCUSSION

Location:

The subject site is located on the east side of State Highway 146, north of Wharton Weems Blvd. The proposed project will be located within the approved La Porte Town Center.

Applicant Request:

The applicant is looking to relocate their current business from Seabrook to La Porte. Plans call for a new building to be constructed on a 5 acre parcel fronting SH 146. The building will include an indoor gun range and area for retail gun sales. There is no outdoor gun range proposed nor would one be permitted.

Background Information:

The site is currently zoned Planned Unit Development (PUD) with an approved mixed use SCUP, La Porte Town Center. The proposed gun range will be located within an area set aside in the general plan for General Commercial (GC). The proposed development and use will be in compliance with the approved general plan. The approved SCUP states that all uses within the GC zoning district, as permitted by Chapter 106 of the City Code of Ordinances, are permitted in the GC designated areas of the La Porte Town Center as designated by the general plan. Chapter 106 requires that Shooting Ranges, located within the GC zoning district, must obtain approval of a Conditional Use Permit prior to administrative approval of any building or zoning permits.

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

Planning and Zoning Commission Regular Meeting
 October 19, 2017
 SCUP #17-9100003

	Zoning	Land Use
<i>North</i>	PUD	Undeveloped (La Porte Town Center)
<i>South</i>	PUD	Undeveloped (La Porte Town Center)
<i>West</i>	PUD	Industrial (Port Crossing)
<i>East</i>	PUD	City Golf Course

The site is currently identified as mix of Commercial, Medium Density Residential, and Mixed Use on the Future Land Use Map.

Notification Requirements:

The public hearing notification requirements outlined in Section 106-171 were performed in accordance with all applicable 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; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City’s website in compliance with state law.

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:

Land Use. Staff finds that approval of the proposed SCUP would be in conformance with the previously approved La Porte Town Center SCUP and could serve as a catalyst for future development in the area.

Access. There is sufficient existing right-of-way access. The approved general plan for the La Porte Town Center provides adequate access to SH 146.

Utilities. Water and sewer services are available along the SH 146 frontage road and along the eastern edge of the subject property.

Section 106-217 of the Zoning Ordinance outlines specific conditions for approval of SCUP applications. There are three different conditions that must be met in order to approve a SCUP. The following table identifies each of the three conditions and staff’s finding on each:

Condition:	Staff Analysis:
(1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property,	The proposed use would be consistent with the approved La Porte Town Center SCUP and would become the first commercial development to be constructed as part of the SCUP. The proposed use

nor significantly diminish or impair property values within the immediate vicinity.	would be in conformance with the approved general plan.
(2) That the conditions placed on such use as specified in each district have been met by the applicant.	Any and all conditions have been met at this time.
(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.	The applicant has agreed to adhere to any conditions that may be imposed upon them. .

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed Special Conditional Use Permit #17-9100003.

ATTACHMENTS

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map
- Exhibit D: Application
- Exhibit E: La Porte Town Center SCUP and General Plan



EXHIBIT A

AERIAL MAP

SCUP

#17-9100003

 Subject Parcel



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

1 inch = 346 feet



SEPTEMBER 2017
PLANNING DEPARTMENT

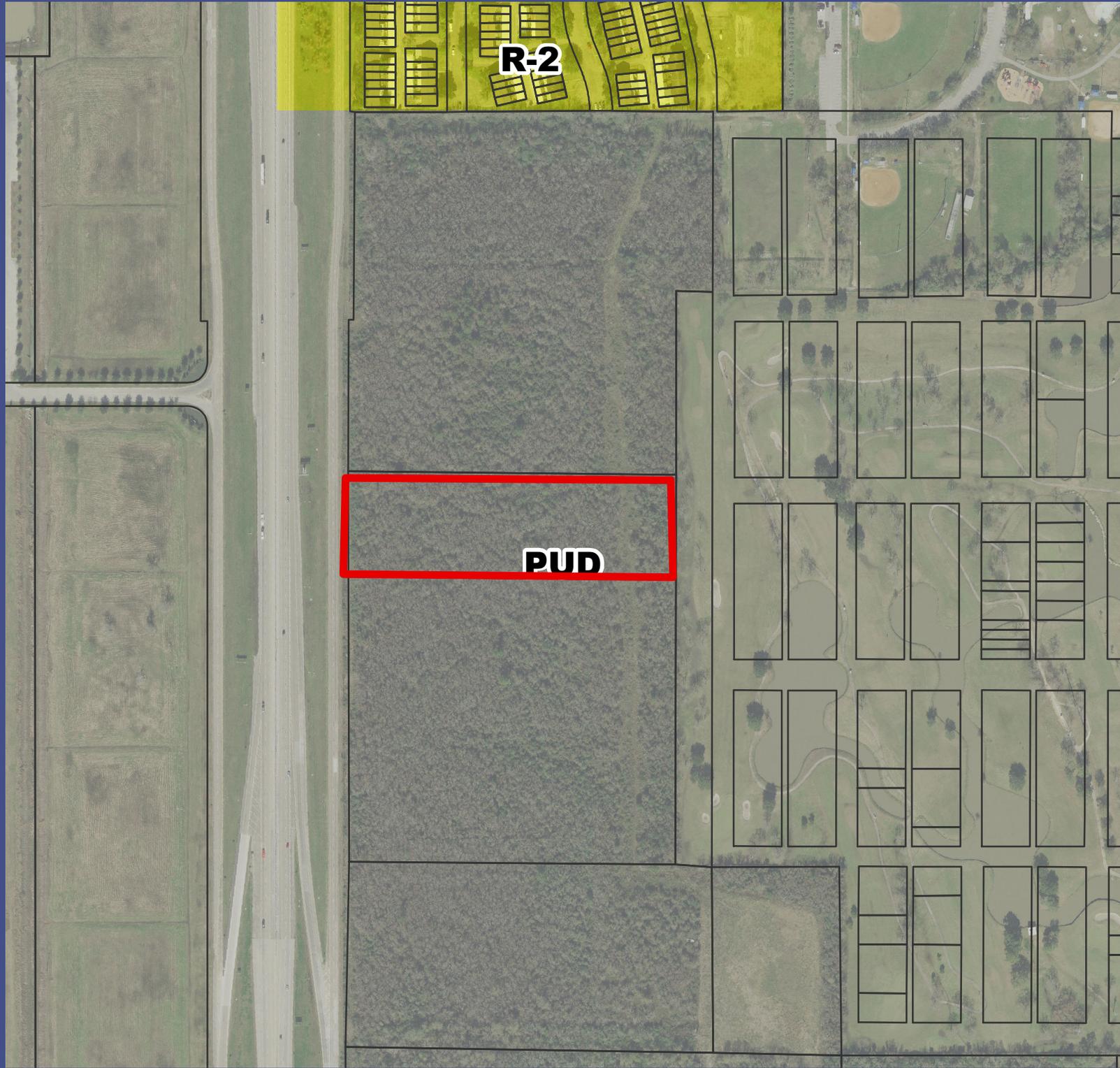


EXHIBIT B

ZONING MAP

SCUP

#17-91000003

 Subject Parcel



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

1 inch = 346 feet



SEPTEMBER 2017
PLANNING DEPARTMENT

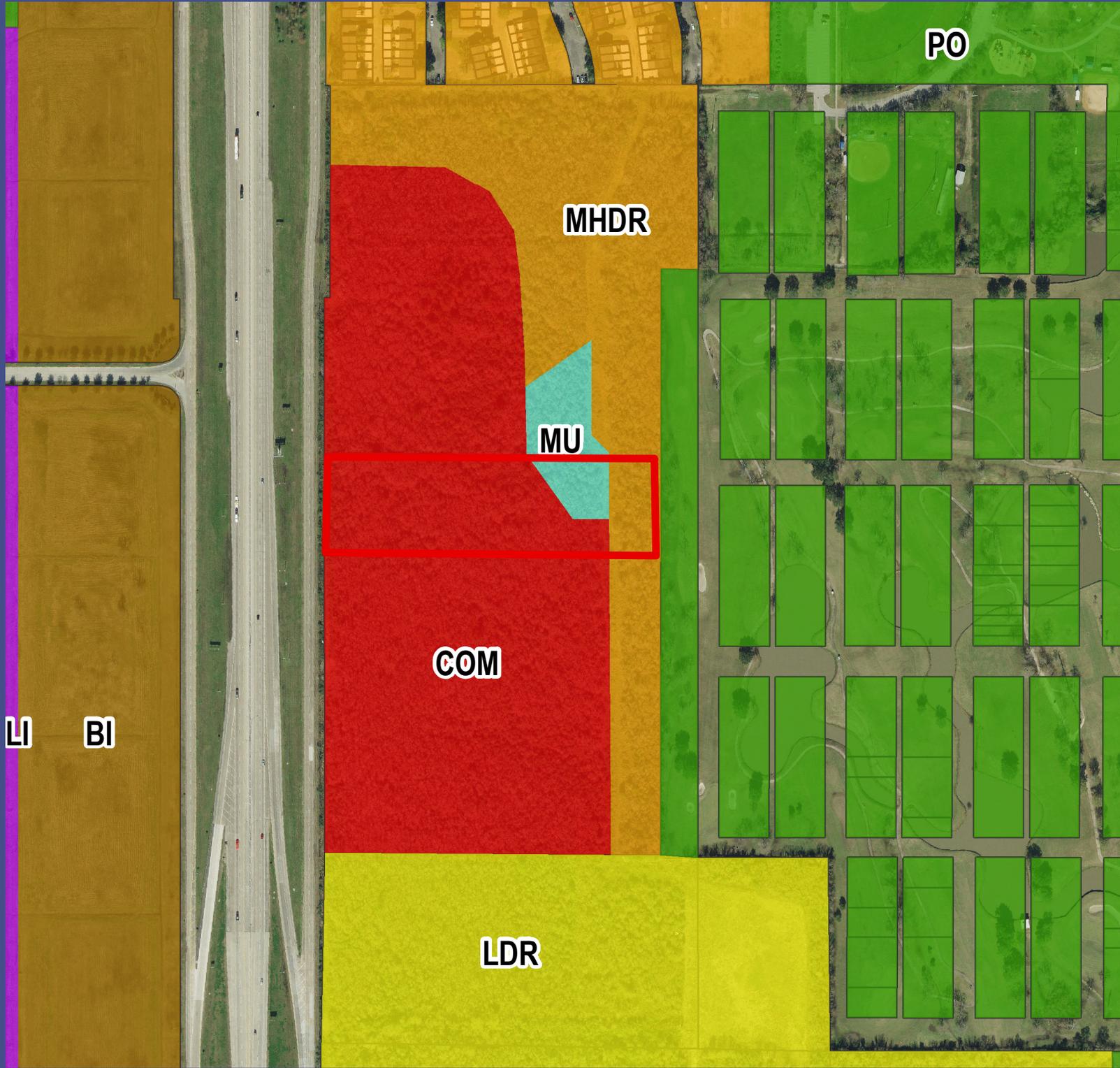


EXHIBIT C

FUTURE LAND USE MAP

**SCUP
#17-91000003**

 Subject Parcel



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1 inch = 338 feet



**SEPTEMBER 2017
PLANNING DEPARTMENT**



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: _____

Legal description where SCUP is being requested: TRACT 12 abstract 35 J Hunter gun.

HCAD Parcel Number where SCUP is being requested: 0402780010034

Zoning District: PUD Lot area: 5 acres

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

Description of Request: Construction of a 213000 sq ft Indoor Gun Range with a retail space.

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: DR CARL AND KIM BALL

Company (if applicable): LOCKED AND LOADED ARMS INC

Address: 2113 BAYBROT BLVD

City: SEABROOK State: TX Zip: 77586

Phone: 281-326-3134 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: ALAN CALAWAY

Company (if applicable): MAX CO. CONSTRUCTION LLC

Address: 2700 MARKET ST, I

City: Baytown TX State: TX Zip: 77520

Phone: 832-309-6254 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.

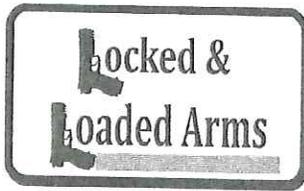
Agent's Signature: _____ Date: 8-14-2017

Owner(s)' Signature(s): _____ Date: 8-14-2017

STAFF USE ONLY:

Case Number: 17-91000003

Date Application Received:
8/18/17



Letter of Intent

DATE: August 15, 2017

Seller:

Purchaser: Locked and Loaded Arms, 2113 Bayport Blvd, Seabrook, Texas 77586

Brokers: JLL, 1400 Post Oak Blvd, Ste 1100, Houston, Texas 77056

RE: PROPERTY LOCATED NORTH OF WEEMS ROAD AND SOUTH OF FAIRMONT
ADJACENT TO HIGHWAY 146 ON THE EAST SIDE IN LA PORTE, TEXAS 77571

This **non-binding letter** represents Purchaser's intent to purchase the above captioned property (the "Property") including the land and improvements on the following terms and conditions:

- Price:** \$543,488.00 for the northern most acreage of the property. 256' wide x 849.2' deep equaling 217395.2 sq ft or 4.9907 acres.
- Financing:** Buyer agrees to obtain new financing with purchase contingent upon Buyer obtaining 90% LTV approval within 90 days of dated execution of Purchase and Sale Agreement. Buyer has option to assume existing financing, if possible.
- Earnest Money:** \$1,000 to be deposited into an escrow account by Purchaser within three (3) days after the execution of a formal Purchase and Sale Agreement.
- Due Diligence:** Purchaser shall have 45 business days due diligence period from the time of the execution of a formal Purchase and Sale Agreement and receipt of relevant documents. Due diligence acceptable to Purchaser in his sole and absolute discretion, which including without limitation: appraisal, environmental matters, leases, physical inspection, title, and zoning.
- Closing:** Closing shall occur 60 days after completion of due diligence period.
- Additional Terms:**

Real Property Taxes: Real property taxes shall be prorated at closing according to the local customary proration method.

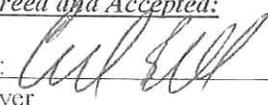
Purchase Contract: Buyer shall have (5) business days from mutual execution of this Letter of Intent agreement to submit a purchase and sale agreement.

Contingency: The purchase is contingent upon buyer obtaining financing and the City Council of La Porte, Texas approving

Agents: Teresa Thorne represents the Seller and Carl Ball represents the Buyer.

This letter of intent is **not intended** to create a binding agreement on the Seller to sell or the Buyer to buy. The purpose of this letter is to set forth the primary terms and conditions upon which to execute a formal Purchase and Sale Agreement. All other terms and conditions shall be negotiated in the formal Purchase and Sale Agreement. This letter of Intent is open for acceptance through *September 1, 2017*

Agreed and Accepted:

By:  _____
Buyer

Date: 8-15-2017

By: _____
Seller

Date: _____

By: _____
Agent

Date: _____

By: _____
Agent

Date: _____



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 0402780010034 HCAD #

LEGAL DESCRIPTION: Track L ABSTRACT 35 J. Hunter Sub.

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: _____.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Alan P. Calaway
Applicant's Signature

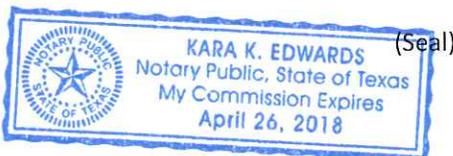
Alan P. Calaway
Applicant's Printed Name

Subscribed and sworn before me this 14th day of August, 2017, by

Alan P. Calaway (Print Applicant's Name).

Kara K Edwards
Notary Public

My commission expires: 4-26-18





SUBJECT PARCEL
- 5 acres

SUSP 146

EXPORT DR

Legend

Street Names

-  City Limits
-  Railroad
-  Drainage Channels
-  Parcels

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of La Porte makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of La Porte from any damage, loss, or liability arising from such use.



City of La Porte
604 W. Fairmont Parkway
La Porte, TX 77571
(281) 471-5020
www.laportetx.gov

La Porte GIS Mapping

1" = 376'



ORDINANCE NO. 2017-3669 ___

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 16-91000004 FOR THAT CERTAIN PARCEL OF LAND HEREIN DESCRIBED, FOR THE PURPOSE OF CONSTRUCTING A ENTERTAINMENT, COMMERCIAL AND MIXED-USE DEVELOPMENT CENTER ON STATE HIGHWAY 146 NORTH OF WHARTON WEEMS BOULEVARD; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

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

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #16-91000004, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for the construction of an entertainment, commercial and residential mixed-use development center on property located on State Highway 146 north of Wharton Weems Boulevard, said facility to be located on a 40 acre tract legally described as Tract 1 and Tract 1L, Johnson Hunter Survey, Abstract 35, City of La Porte, Harris County, Texas, within a Planned Unit Development (PUD) zoning district.

Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. 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 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration.

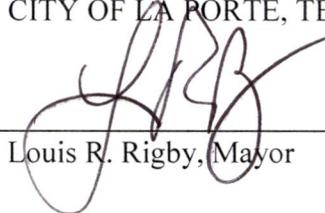
Section 6. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 7. This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the 27th day of FEBRUARY, 2017.

CITY OF LA PORTE, TEXAS

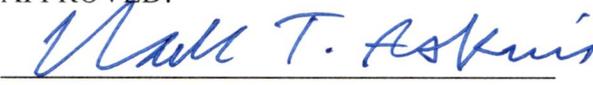
By: _____

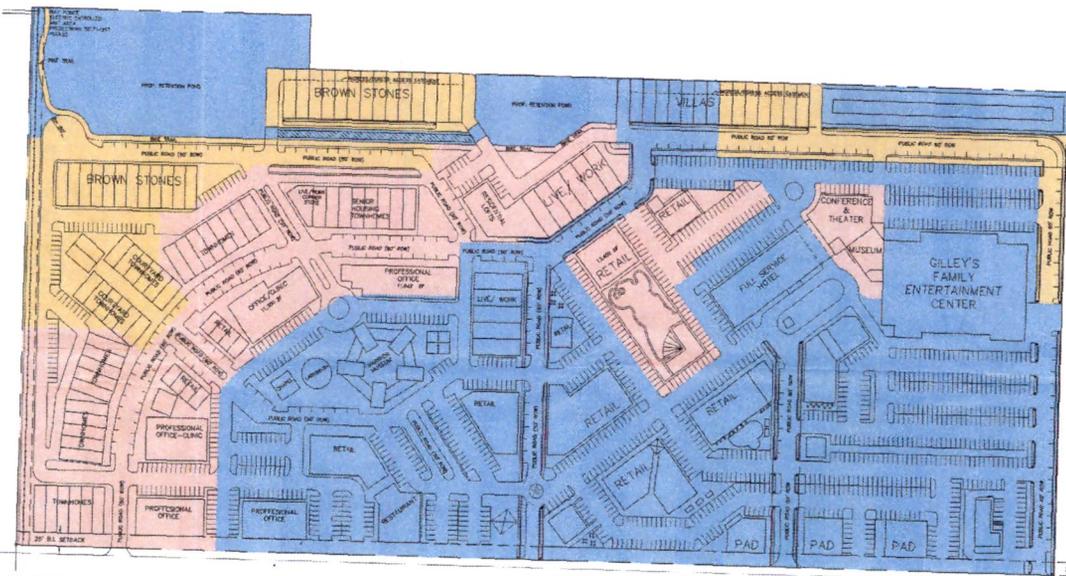
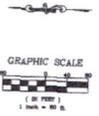

Louis R. Rigby, Mayor

ATTEST:


Patrice Fogarty, City Secretary

APPROVED:


Clark Askins, Assistant City Attorney



- LEGEND**
- PHASE I
 - PHASE II
 - PHASE III

FA RAVOIT
PARKWAY
0.7 MI
NORTH

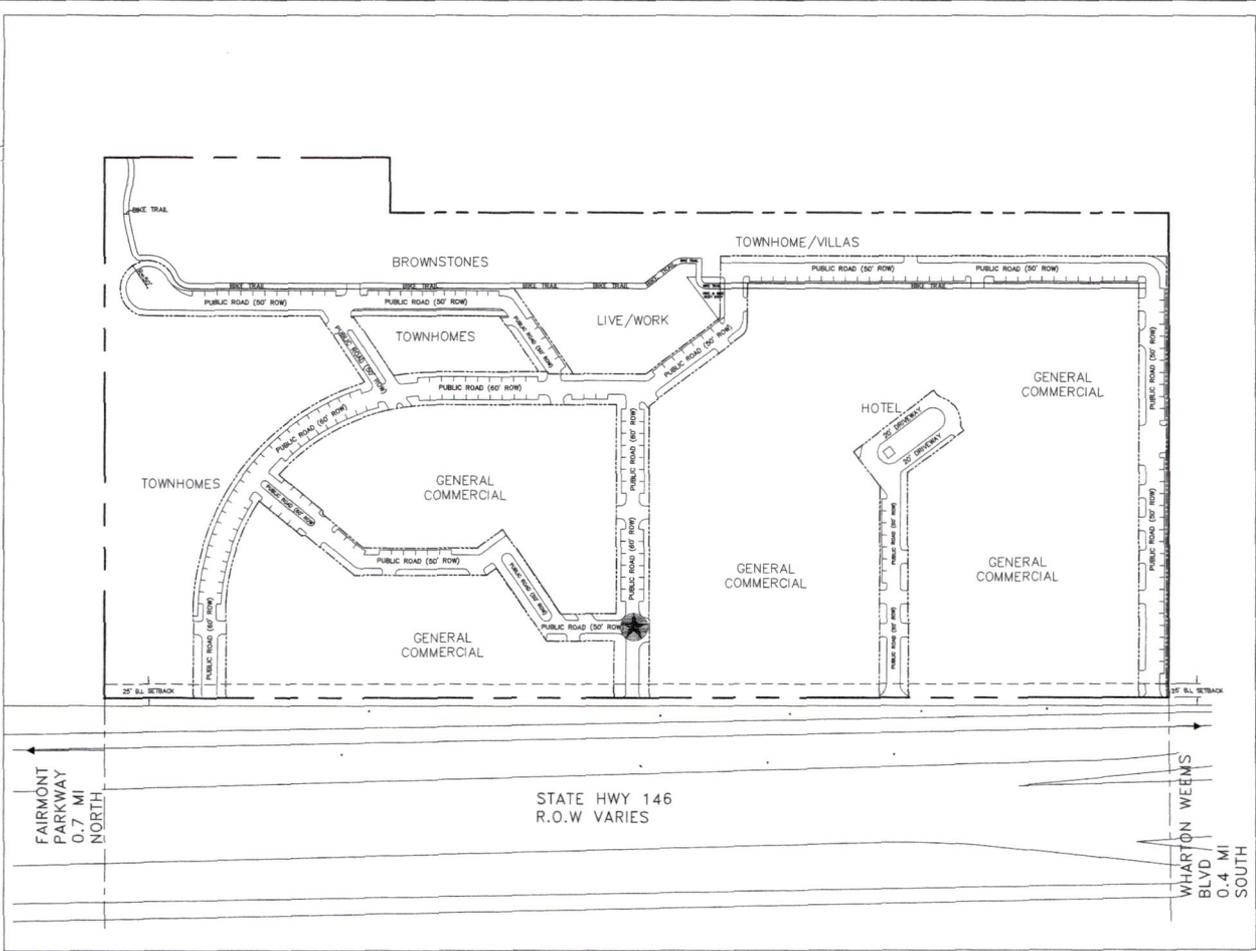
STATE HWY 146
R.O.W. VARIES

W-AFTON WILMS
BLVD
0.4 MI
SOUTH

DATE	REVISIONS	BY
<p>Everest Design Group, Inc. Licensing Engineering Consultant Surveying 1305 E. Foothold Drive, Suite 200 Frisco, Texas 75034 P: 214-993-3770 FAX: 214-468-2284</p>		
<p>PROJECT: LA PORTE TOWN CENTER STATE HWY 146, LA PORTE, TX 77571</p>		
<p>PHASING PLAN</p>		
<p>CITY OF LA PORTE, TEXAS</p>		
PROJECT NO:		
DRAWING SCALE:		
HORIZ. AS SHOWN		
VERT.		
		SHEET NO. 2



GRAPHIC SCALE
 1" = 100'
 1" = 100'



APP	REVISION	DATE
Everest Design Group, Inc. Planning, Engineering, Construction Management 1305 PERRY RD., #1000 901 S. FRIEDLAND DRIVE, Suite 200 Fritchmond, Texas 77581 P: 281-493-3770 FAX: 281-448-2294		
PROJECT: LA PORTE TOWN CENTER STATE HWY 146, LA PORTE, TX 77571		
R.O.W EXHIBIT B WITH LABELING		
CITY OF LA PORTE, TEXAS		
PROJECT NO.		
DRAWING SCALE		
HORIZ: AS SHOWN		
VERT:		
SHEET NO. 8		

City of La Porte
Special Conditional Use Permit #16-91000004

This permit is issued to: Western Spherical Developers, LLC
Owner or Agent

907 S. Friendswood Drive, Suite 303; Friendswood, TX 77546
Address

For Development of: La Porte Town Center Mixed Use Development
Development Name

Vacant 40 acre parcel; located on State Highway 146 north of Wharton Weems Boulevard
Address

Legal Description: Tracts 1 and 1L, Abstract 35, Johnson Hunter Survey

Zoning: PUD, Planned Unit Development

Use: Entertainment, Hotel and Conference Center, Commercial and Medium-Density Residential

Permit Conditions:

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

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All buildings shall meet or exceed the Design Standards outlined in Article IX, Chapter 106 of the Code of Ordinances.
3. Land uses permitted in accordance with the La Porte Town Center General Plan, as may be amended from time-to-time. Any modifications to the approved General Plan require approval by the Planning and Zoning Commission in accordance with the city's Development Ordinance.
4. Land uses permitted in the commercial area (all areas excluding residential land uses) shall be in accordance with the uses permitted in Chapter 106, Zoning, of the city's Code of Ordinances Use Chart under GC (General Commercial) at the effective date of this SCUP, excluding the following uses:
 - a. Automobile repair and maintenance (811111-811198);
 - b. Construction, Mining and Forestry Machinery and Equipment Rental and Leasing (532412);
 - c. Office Machinery and Equipment Rental and Leasing (532420);
 - d. Other Commercial and Industrial Machinery and Equipment Rental and Leasing (532490);
 - e. Transit and Ground Passenger Transportation (485111-485999);

- f. Motor Vehicle Parts and Dealers (441110-441228);
 - g. Furniture and Related Product Manufacturing (337110-337122);
 - h. Construction of Buildings (236115-236118);
 - i. Contractors (238110-238390).
5. The commercial area shall be developed in accordance with the requirements for the General Commercial zone district. However, if the developer desires to subdivide the commercial area, then setbacks shall be as follows: external property line adjacent to Highway 146 – 25 feet; external property line adjacent to north and south public right-of-way – 10 feet; internal property lines – 0 feet.
 - ~~6.~~ The residential land uses identified in the General Plan as “Townhouse” shall be constructed in accordance with the requirements outlined in Section 106-333 of the Code of Ordinances and applicable building code requirements and shall be limited to townhouse development only – not multifamily apartments or condominiums. The townhouse development may exceed the (12) twelve unit maximum for attached units and front setbacks for the townhouse development shall be permitted at a minimum of 5 feet from the front property line.
 7. Additionally, the “Live-Work” units are permitted and shall comply with applicable setbacks that would be required for buildings in the Main Street Overlay District. If an attached garage is provided, then the rear setback for the building shall be 5 feet.
 8. The perimeter boundaries of the property along the north and south property lines shall include the installation of an 8-foot high solid masonry fence intended to mitigate the impact of development on future residential development, as identified in the city’s Future Land Use Plan. Additionally, shade trees shall be planted at 20’ on center along the fence line. If land uses on the adjacent properties are modified in the future allowing for similar uses, then such fence and landscaping shall not be required. The northern fence shall be included and constructed as part of the first set of construction plans approved by the city, while the southern fence shall be constructed prior to the completion of the final phase of development. If at any time the property to the south of the proposed development is developed for single family residential, the southern boundary fence must be constructed at that time regardless of which phase of development the project is in.
 9. In lieu of a fence along the eastern boundary of the project, the developer shall be required to plant shade trees, at a minimum 3” caliper and 20’ on center. In addition to the shade trees, shrubs shall be planted at no less than 5 gallon in size with a minimum spacing of 3’ on center. These plantings are required along the entire length of the eastern boundary and shall be in place prior to the completion of Phase II of the development.
 10. The applicant shall install the segment of the city’s Hike and Bike Trail through the development area as identified in the city’s Comprehensive Plan. The construction of the trail shall be in accordance with all applicable requirements and specifications required by the City Engineer. Additionally, following construction of the Hike and Bike Trail, the developer shall dedicate to the City of La Porte a permanent public trail easement 20’ on center for the Hike and Bike Trail.
 11. The developer shall provide internal connection between the city’s Hike and Bike Trail to the development.
 12. The developer shall work with staff at the time of site plan review to minimize the amount of parking stalls along the Highway 146 frontage. This should be accommodated by relocating buildings in a manner that places parking on the side of the building or internal to the development. If this is not possible, the developer may install planter islands at 1 per 10 spaces for both rows of parking along a drive aisle parallel to Highway 146. Additionally, hedges shall be planted at 3-foot on center in two rows of plantings. Such hedge row shall be installed with a variety of plant material to provide visual diversity of plant materials.
 13. For the commercial portion of the development, parking shall be calculated based on the aggregate amount of parking required and proposed; joint parking is allowed. Additionally the applicant may

- include on-street parking, only where permitted by the city, toward the amount of parking provided for the development.
14. Parking is not permitted within any alley right-of-way.
 15. The developer will be required to replat the subject property in accordance with the requirements of the city's code requirements.
 16. All public streets internal to the development site shall be constructed in accordance with the city's Public Improvement Criteria Manual and shall be dedicated to the city. Regardless of phasing of the development, any dedication of public improvements identified as part of the plat must be accepted by the city prior to the recordation of the Final Plat. Should the developer desire to construct such public streets at a later time, then a development agreement shall be required between the city and developer that provides a financial guarantee, as approved by the city, that will ensure that said public roads will be installed and a date for which those improvements must be made.
 17. Parking on any public street shall only be permitted on one side of the street and shall be signed by the developer in accordance with applicable sign requirements.
 18. Access to any public right-of-way is subject to the requirements of Section 106-835, Figure 10-3 and will be reviewed at the time of Site Development Plan. TXDOT right-of-way access permits shall be presented prior to permit issuance for all driveways requested on Highway 146. Maximum driveway widths shall be provided in compliance with city code requirements.
 19. The developer will be required to submit for approval by the City Engineer, a drainage report indicating how the proposed development will accommodate the requirements for storm water detention in accordance with the city's Public Improvement Criteria Manual, or if discharging in a TXDOT or Harris County system, approval by such authority.
 20. Because Highway 146 has been identified as a significant corridor in the community, the developer shall work with the Planning and Zoning Commission at the time of site plan review on a landscape theme along the Highway 146 frontage. Such theme shall be above and beyond the requirements outlined in Section 106-800 of the city's Code of Ordinances.
 21. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
 22. A traffic impact analysis, performed by a licensed engineer agreed to by both the City and the applicant, shall be required. If any mitigation is required by the study, the applicant will be responsible for their proportion of the impact. All contributions would be subject to reimbursement through the TIRZ, pursuant to approval by the TIRZ Board.
 23. If extension of any public water or sanitary sewer line is required as part of this development, the applicant will be required to execute a utility extension agreement with the city and install such improvements at the cost of the developer.
 24. 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.
 25. The hours of operation for the family entertainment center shall be 10:00 a.m. to 12:00 a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. on Friday and Saturday. There may be up to two days in a calendar month where the family entertainment center may remain open from 10:00 a.m. to 2:00 a.m. during the week in order to accommodate special performances. The operator of the family entertainment center will be responsible for informing the city in writing at least one (1) week before such event.
 26. The residential townhouses are required to be platted as part of the first phase of the development. A minimum of seven (7) townhouse units are required to be available for development as part of the initial phase of development.
 27. A photometric plan will be required at the time of site plan submittal that will identify site lighting and the lumens proposed across the site. Lighting will need to be in compliance with the requirements of Section 106-310, Footnote A, of the city's Code of Ordinances.

28. No development permits shall be issued for any work within the 40 acre project prior to the applicant obtaining construction permits and commencing construction of the required drainage interconnect under Wharton Weems Blvd. This interconnect is meant to connect two existing detention basins and is vital to the entire project's overall drainage system.

Failure to start construction of the building within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning and Development

City Secretary

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



October 19, 2017

AGENDA ITEM 14 a-b

- Receive direction from the commission regarding Port Crossing SCUP language amendment language
- Jurisdictional enforcement of streets within La Porte city limits.

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