



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, July 19, 2018** 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. June 21, 2018 Meeting
- 4. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Zone Change #18-92000006, a request by Charles Anders of Bayway Homes Inc., applicant; on behalf of Kyrish Real Estate Limited Partnership, owner; for approval of a zone change from Business Industrial (BI) to Mid Density Residential (R-2), for a 2.44 acre tract of land located at the SE corner of Barbours Cut and Martin Luther King Jr. Dr., and legally described as Lots 1-32, Block 331, Town of 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 Zone Change #18-92000006
- 7. FUTURE LAND USE MAP AMENDMENT:** 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 2.44 acre tract of land located at the SE corner of Barbours Cut and Martin Luther King Jr. Dr., and legally described as Lots 1-32, Block 331, from "Business Industrial" to "Mid-High Density Residential."
- 8. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Zone Change #18-92000007, a request by Steve Adkisson, applicant, on behalf of Carrington F. Weems, owner; for approval of a zone change from General Commercial (GC) to Planned Unit Development (PUD), on a 4.22 acre tract of land located at the NE Corner of S. 16th St. and W. M St., and legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, La Porte Subdivision.

- 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 Zone Change #18-92000007

11. FUTURE LAND USE MAP AMENDMENT: 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 4.22 acre tract of land located at the NE Corner of S. 16th St. and W. M St., and legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, La Porte Subdivision, from “Commercial” to “Light Industrial.”

12. PUBLIC HEARING: Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #18-91000008, a request by Kathryn Edwards of BGE Kerry R. Gilbert & Associates, applicant, on behalf of Don Stephens of Aldersgate Trust, owner; to allow for a skilled nursing facility to locate on a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots.

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

13. ADJOURN PUBLIC HEARING

14. CONSIDERATION: Consider recommendation to City Council on SCUP #18-91000008

15. GENERAL PLAN: Consider approval or other action for a General Plan, requested by Kathryn Edwards of BGE Kerry R. Gilbert & Associates, applicant, on behalf of Don Stephens of Aldersgate Trust, owner; to allow for a skilled nursing facility, to locate on a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots.

16. PUBLIC HEARING: Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #18-91000009, a request by Hans Brindley of Liberty Property Trust, applicant and owner; to allow for a Petroleum and Petroleum Products Merchant Wholesaler (NAICS 424720), to locate on a 34.69 acre tract of land legally described as Reserve “I” in Port Crossing Commerce Center Subdivision.

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

17. ADJOURN PUBLIC HEARING

18. CONSIDERATION: Consider recommendation to City Council on SCUP #18-91000009

19. DISCUSSION ITEMS:

- a. Chapter 106 Subcommittee Recommendations

- b. Texas APA Conference - Galveston
- c. Roberts Rules of Orders Seminar

20. ADMINISTRATIVE REPORTS

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

22. 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, July 19th 2018, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the ____ day of _____, 2018.

Title: _____

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



July 19, 2018

AGENDA ITEM 3

Consider approval of the Meeting Minutes:

a. June 21, 2018

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

**Planning and Zoning Commission
Minutes of June 21st, 2018**

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

Commissioners Absent: Christina Tschappat, Helen LaCour, Lou Ann Martin

City Staff Present: City Attorney Clark Askins, Assistant City Manager Jason Weeks, Planning and Development Director Richard Mancilla, City Planner Ian Clowes, City Engineer Lorenzo Wingate, Planning Technician Chase Stewart, Economic Development Coordinator Ryan Cramer

CALL TO ORDER.

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

ROLL CALL OF MEMBERS.

Commissioners Tschappat, LaCour, & Martin, were not present for the meeting.

CONSIDER APPROVAL OF THE MEETING MINUTES:

a. May 17th, 2018 Meeting

Motion by Commissioner Smith to approve the meeting minutes of May 17th, 2018, under the condition of amendment of minor errors. **Second by** Commissioner Barrera. **Motion carried.**

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

Nays: None **Passes Unanimously**

Major Development Plat (6:05pm): Consider approval of a Major Development Plat, Bay Area 28; a commercial development consisting of 3 lots on 28 acres located on Bay Area Blvd.

Motion by Commissioner Follis to approve the Major Development Plat under the condition that all comments from staff are satisfied. **Second by** Commissioner Kendrick **Motion carried.**

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

Nays: None **Passes Unanimously**

Consideration (6:10 pm): Consider a request by David Woodward of Genesis Design Group, for approval of a waiver to the city’s Design Guidelines (Exterior Façade Materials) for the proposed CVS Pharmacy to be located at 3122 Underwood Rd.

Motion by Commissioner Barrera for approval of the Design Guidelines waiver.

Second by Commissioner Warren **Motion Carried**

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

Nays: None **Passes Unanimously**

Public Hearing (6:15 pm): Open Public Hearing to receive input on an application for Zone Change #18-92000004, a request by Louisiana Chemical Equipment Co., L.L.C., applicant and owner; for approval of a zone change from Large Lot District Residential (LLD) to Light Industrial (LI), for a 6.43 acre tract of land located adjacent to the southern edge of 11100 SH 225 and legally described as Tracts 351 & 352, La Porte Outlots.

Staff Report: Mr. Ian Clowes, City Planner, presented staff’s report on a request by Louisiana Chemical Equipment Co., L.L.C., for a zoning change from Large Lot District Residential (LLD) to Light Industrial (LI) with an intended use of a laydown yard expansion for the business. City Planner, Mr. Clowes, described the surrounding area to be partially Light Industrial (LI) and Large Lot District Residential (LLD). Staff recommended denial of the zone change request.

Applicant Presentation: Richard Helobran, Louisiana Chemical Equipment Co., L.L.C., outlines the laydown storage facility to the commission members as well as the public in attendance. Provides clarification to property location and adjacent lots. City Attorney, Mr. Clark Askins, informs the commission about the legality of conditional zoning.

Public Comments (for, against, or question):

- Kelsey Ford, 11110 Hwy 225 (Quala) – **For:** Outlines regulations against sound, environment, and air pollution from OSHA.
- Theresa Trevino, 11034 Bois D’Arc – **Against:** Resident to the adjacent neighborhood “Battleground Estates”. Voiced various complaints about both Louisiana Chemical and Quala Wash.
- Nathan Bretting, 11127 Skyview Ln – **Against:** Citizen of La Porte, not a resident of adjacent properties
- Cliff Willson, 1120 Robinson Rd – **Against:** Citizen of La Porte voiced opposition to the zone change

- Julia Hutchins, 11311 N P. St – **Against:** Citizen of La Porte voiced opposition to the zone change

ADJOURN PUBLIC HEARING

Chairman Lawler closed the public hearing at 6:51 p.m.

CONSIDERATION: Consider recommendation to City Council on Zone Change #18-92000004

Motion by Commissioner Kendrick to recommend to City Council, to deny the zone change #18-92000004

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

Ayes: Commissioner Barrera, Smith, Kendrick, Warren, and Chairman Lawler

Nays: None **Abstain:** Commissioner Follis **Motion to Deny passes.**

FUTURE LAND USE MAP AMENDMENT: (Item 9) Mr. Clowes presented staff's report on an amendment to the Future Land Use Plan from General Commercial to Low-Density Residential in conjunction with zone change #18-92000004 approval for property located adjacent to the southern edge of 11100 SH 225.

Motion by Commissioner Kendrick for denial of the Future Land Use Amendment.

Seconded by Commissioner Warren. **Motion Carried.**

Ayes: Commissioner Barrera, Smith, Kendrick, Warren, and Chairman Lawler

Nays: None **Abstain:** Commissioner Follis **Motion to Deny passes**

Public Hearing (Item 10) 6:55pm: Open public hearing to receive input on an application for a Special Conditional Use Permit (SCUP) #18-91000005, a request by Nirmal Gandhi, applicant; on behalf of Nick Desai, owner; to allow for a Hotel/Motel Use to locate on a 0.85 acre tract of land legally described as Lots 1-32, Block 173, Town of La Porte Subdivision.

Staff Presentation: Mr. Ian Clowes, City Planner, presented staff's report on a request for a Special Conditional Use Permit (SCUP) to allow for a Hotel/Motel Use on a 0.85 acre tract of land legally described as Lots 1-32, Block 173, Town of La Porte Subdivision. Mr. Clowes passed a recommendation of denial from staff to the commission.

Applicant Presentation: Nick Desai introduces himself to the commission and answers any questions.

Public Comments (for, against, or question):

Margret Russel, 1103 Park, La Porte Texas – **For**

ADJOURN PUBLIC HEARING

Chairman Lawler closed the public hearing at 7:04 p.m.

Motion: Commissioner Kendrick motion to deny **Seconded:** Commissioner Follis
Motion Carried

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

Nays: None **Unanimously Denied**

Public Hearing: (Item 13) 7:08 pm: Open Public Hearing to receive input on an application for a Special Conditional Use Permit (SCUP) #18-91000006, a request by Jaison Becher, applicant; on behalf of Satish Bechar, owner; to allow for a Hotel/Motel Use, to locate on a 0.87 acre tract of land legally described as Reserve A, Denny’s Classic Diner La Porte Subdivision.

Staff Presentation: Mr. Ian Clowes, City Planner, presented staff’s report on a request for a Special Conditional Use Permit (SCUP) to allow for a Hotel/Motel Use on a 0.87 acre tract of land legally described as Reserve A, Denny’s Classic Diner La Porte Subdivision. Mr. Clowes passed a recommendation of denial from staff to the commission.

Applicant Presentation

Jaison Bechar introduces himself to the commission and answers any questions commission members may have directed to him.

ADJOURN PUBLIC HEARING

Chairman Lawler closed the public hearing at 7:17 p.m.

Motion: Commissioner Kendrick motion to deny **Seconded:** Commissioner Follis
Motion Carried

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

Nays: None **Unanimously Denied**

DISCUSSION ITEMS (Item 16) 7:18pm

- a) Chapter 86 (Development Ordinance) & PICM discussion

- Staff consulted with City Attorney to clearly define if P&Z has authority over Chapter 86. The PICM is under the discretion of the City Engineer (Mr. Lorenzo Wingate) and is subject for approval by City Council
- b) 106 Subcommittee Recommendations
 - Staff introduces changes to Chapter 106, developed in coordination with the Subcommittee, to the P&Z commission
- c) Robert's Rules of Orders Seminar
 - Mr. Ian Clowes informs the commission of an upcoming seminar that members are invited to attend

Motion for Adjournment: Commissioner Warren **Seconded:** Commissioner Kendrick
Motion Carried

Ayes: Commissioners Barrera, Follis, Smith, Kendrick, Warren, and Chairman Lawler
Nays: None **Passes Unanimously**

Chairman Lawler adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Chase Stewart
Planning Technician

Passed and Approved on _____, 2018.

Hal Lawler
Chairman, Planning and Zoning Commission

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



July 19, 2018

AGENDA ITEMS 4-6

Zone Change Request #18-92000006

A request by Charles Anders of Bayway Homes Inc., applicant; on behalf of Kyrish Real Estate Limited Partnership, owner; for approval of a zone change from Business Industrial (BI) to Mid Density Residential (R-2), for a 2.44 acre tract of land located at the SE corner of Barbours Cut and Martin Luther King Jr. Dr., and legally described as Lots 1-32, Block 331, Town of 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 change in zoning from Business Industrial (BI) to Mid Density Residential (R-2) zoning district; on a 2.44 acre tract of land located at the SE corner of Barbours Cut and Martin Luther King Jr. Dr., and legally described as Lots 1-32, Block 331, Town of La Porte Subdivision?

DISCUSSION

Location:

The subject site is located on the SE corner of Barbours Cut and Martin Luther King Jr. Dr.

Background Information:

The property is currently undeveloped, with the exception of 1 single family home, and is currently zoned for industrial uses. The applicant would like to rezone the property to allow for the construction of up to 32 townhome units on the 2.44 acre 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
North	LI, Light Industrial	Industrial Park
South	R-2, Mid Density Residential	Single Family Homes
West	BI, Business Industrial	Industrial
East	BI, Business Industrial	Industrial/Vacant

The site is currently identified as Business Industrial 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 Mid-High Density Residential.

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 mid density residential is a good fit for the existing site. The current size and configuration would not lend itself to new industrial projects.
2. *Access.* There is sufficient existing right-of-way access from N. 4th, Martin Luther King Jr. Dr., and Barbours Cut Blvd.
3. *Utilities.* Water and sewer services are available along an existing alley way running down the center of the existing site.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed development would be consistent with other properties in the immediate area.
Conformance of a zoning request with the land use plan.	The proposed zone change will be in conformance with the future land use plan once amended to reflect the change to mid density residential.
Character of the surrounding and adjacent areas.	The proposed zone change would be consistent with recent development patterns along N. 4th St. and Martin Luther King Jr. Dr.
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 use will be consistent with other mid density single family in the area.
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 R-2 zone could in the end, decrease traffic when compared to industrial and commercial projects permitted in the BI zone.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise	The proposed zone change will not create excessive air pollution or other negative environmental issues.

Planning and Zoning Commission Regular Meeting
July 19, 2018
Zone Change #18-92000006

pollution, or other environmental harm to adjacent properties.	
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 in the area.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed zone change from Business Industrial (BI) to Mid Density Residential (R-2).

ATTACHMENTS

- Exhibit A: Aerial Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map
- Exhibit D: Applicant Packet

AERIAL MAP

Zone Change
18-92000006

600 Block of 4th &
Martin Luther King
Jr. Dr.

Legend



Subject Parcels



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 = 135 feet

JULY 2018
PLANNING DEPARTMENT



ZONING MAP

Zone Change
18-92000006

600 Block of 4th &
Martin Luther King
Jr. Dr.

Legend



Subject Parcels

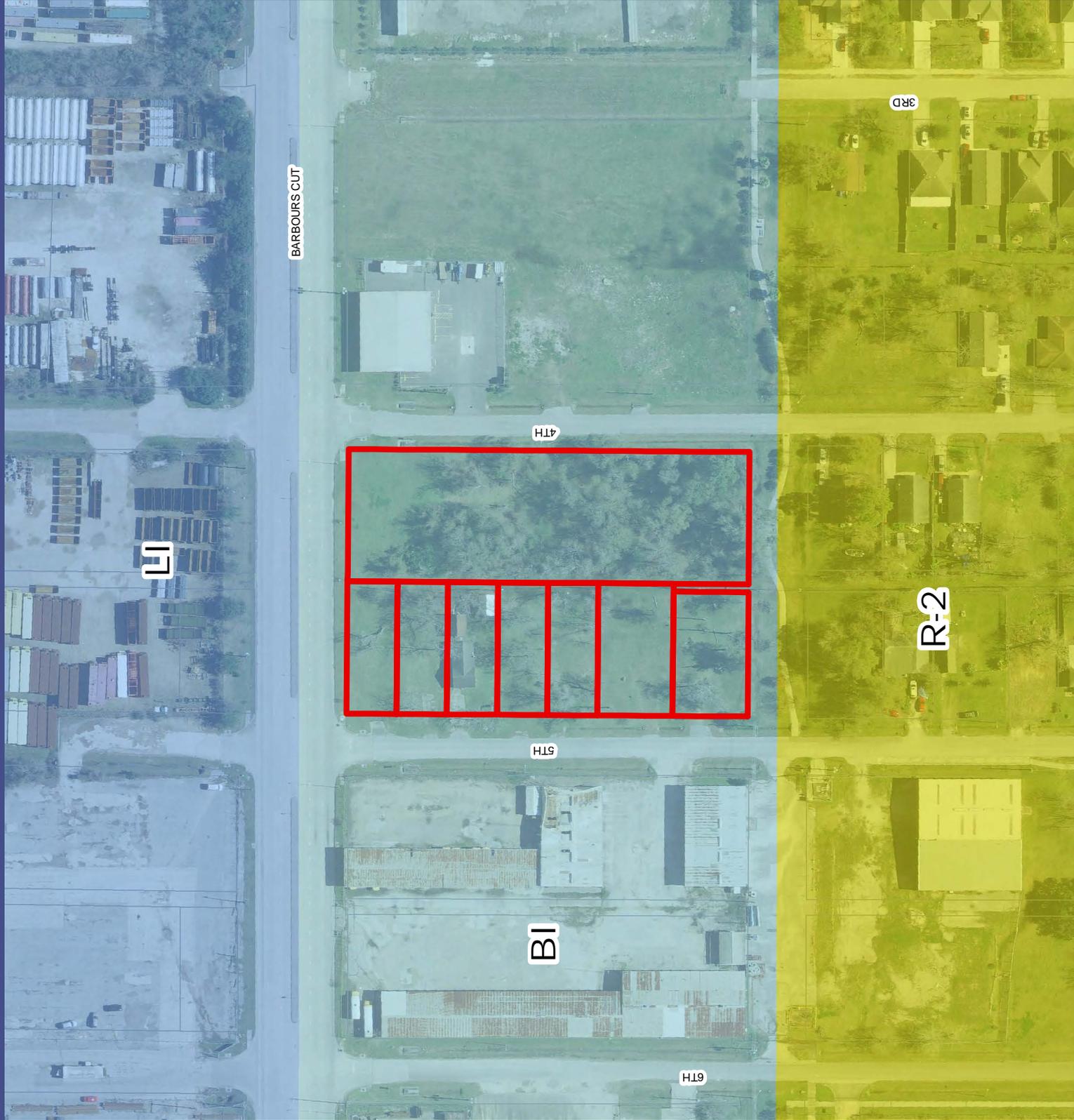


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1 inch = 135 feet

JULY 2018
PLANNING DEPARTMENT



FLUP MAP

Zone Change
18-92000006

600 Block of 4th &
Martin Luther King
Jr. Dr.

Legend



Subject Parcels



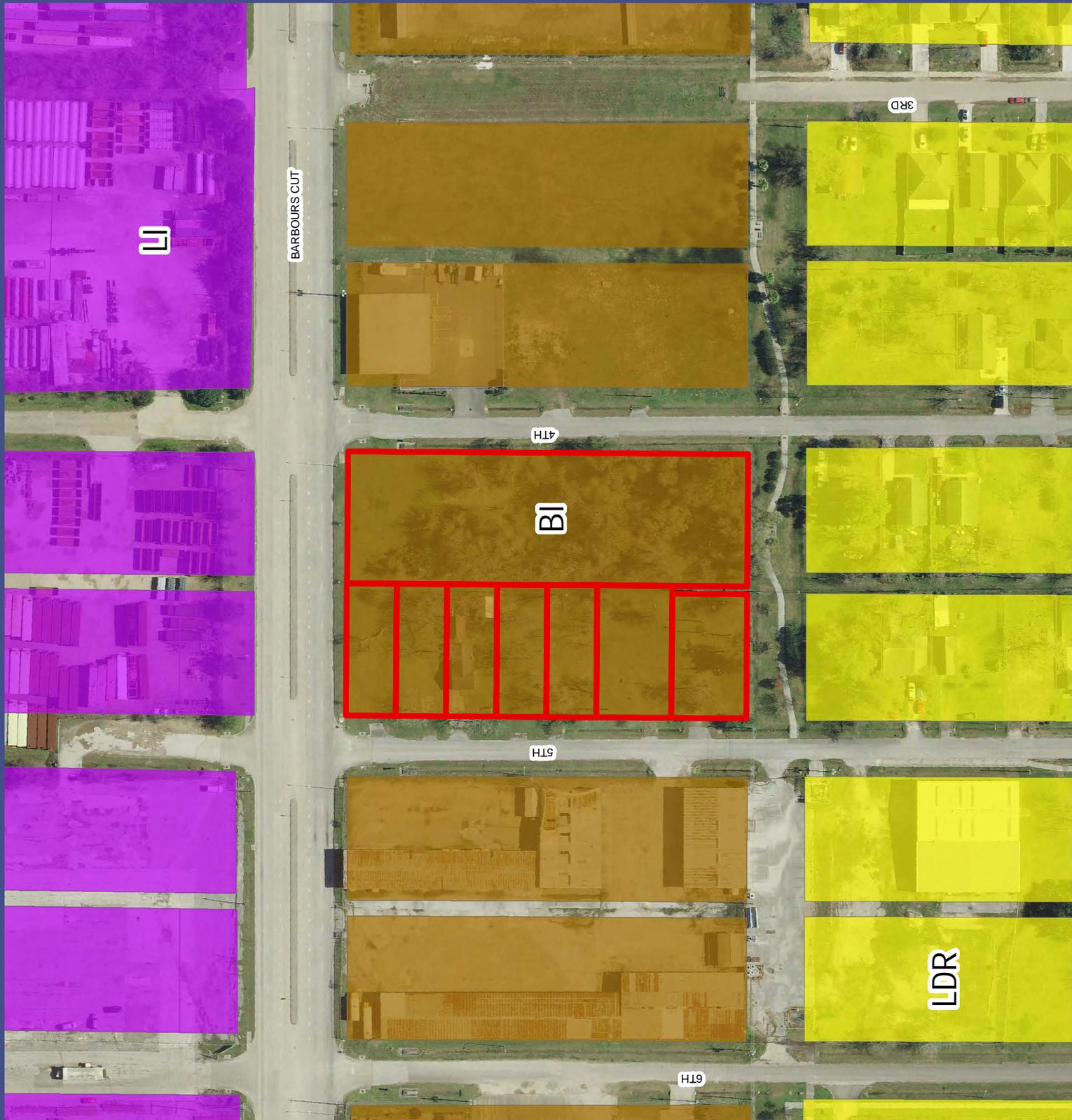
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1 inch = 135 feet

JULY 2018

PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 Barbours Cut Blvd between N 4th St. and Dr Martin Luther King Jr Dr.
Legal description where zone change is being requested: Lots 1-32 Block 331
HCAD Parcel Number where zone change is being requested: 0240390310001,0003,0005,0007,0009,0011,0014,0017
Zoning District: Commrcial Lot area: 106400 sq ft
A request for approval of a zone change is hereby made to the City of La Porte.
Description of Request: Rezone to R-2 for Townhomes

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: Kyrish Real Estate Limited Partnership
Company (if applicable): _____
Address: 8900 North Freeway
City: Houston State: Tx Zip: 77037-2727
Phone: _____ Email: dkyrish@kyrishtrucks.com

AUTHORIZED AGENT (if other than owner)

Name: Charles Anders
Company (if applicable): Bayway Homes Inc.
Address: PO Box 1244
City: Friendswood State: Tx Zip: 77549
Phone: 8322769609 Email: canders@baywayhomes.com

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: [Signature] Date: 5-31-18
Owner(s) Signature(s): [Signature] Date: 6-6-18

STAFF USE ONLY:

Case Number:
18-9200006

Date Application Received:
6/12/18



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 Barbours Cut Blvd between N 4th St. and Dr Martin Luther King Jr Dr.
Legal description where zone change is being requested: Lots 1-32 Block 331
HCAD Parcel Number where zone change is being requested: 0240390310001,0003,0005,0007,0009,0011,0014,0017
Zoning District: Commrcial Lot area: 106400 sq ft
A request for approval of a zone change is hereby made to the City of La Porte.
Description of Request: Rezone to R-2 for Townhomes

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: Kyrish Real Estate Limited Partnership
Company (if applicable): _____
Address: 8900 North Freeway
City: Houston State: Tx Zip: 77037-2727
Phone: _____ Email: dkyrish@kyrishtrucks.com

AUTHORIZED AGENT (if other than owner)

Name: Charles Anders
Company (if applicable): Bayway Homes Inc.
Address: PO Box 1244
City: Friendswood State: Tx Zip: 77549
Phone: 8322769609 Email: canders@baywayhomes.com

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: Date: 5-31-18
Owner(s)' Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number: _____

Date Application Received: _____

City of La Porte

Variance Application

Planning and Development Department

Reasons for Variance Request

Northside Village Sec.2 Townhomes is a project located between North E Street and East Barbours Cut Boulevard between North 4th Street and Dr Martin Luther King Jr Dr. in the area generally known as the North Side Neighborhood of La Porte. The Block 331, where the project is located, are according to the City of La Porte Zoning Map and Ordinance and designated as Neighborhood Commercial District. This block and several others are designed to be a buffer between the adjoining R-1 Low Density Residential District to the south of North E Street and Business Industrial District to the north. The City's desire is to have mid density residential development on these blocks which is good zoning practice. We are proposing a townhome project that is permitted by the Zoning Ordinance. The lots were subdivided as part of the early City of La Porte existence and like most of the neighborhood the lots are 25 feet wide and 125 feet deep. We are requesting to fully utilize an area that has become under-utilized.

We are requesting four variances:

- 1) A reduction in Side Set Back Lot 32, Block 331 and Lot 1, Block 331 from 20 feet to 5 feet
- 2) An increase in Dwelling Units per Acre from 10 per acre(24 units) to 13 per acre (32 units)
- 3) A decrease in distance between driveways from 10 feet to 4 feet
- 4) A decrease in driveway from a property line from 3 feet to 2 feet

Regarding the Side Set Back reduction from 20 feet to 5 feet on Lots 16 and 17, both lots adjoin North E Street that the City has designated to be walking trails and green space. This is a unique situation with only a few lots adjoining a public park space. We believe that a reduction in Side Set Back is appropriate as the adjoining property will forever be park space.

The Dwelling Units Per Acre permitted are 10 units per acre and we are requesting 13. With the lots being 25 feet wide and 125 feet deep or 3,125 square feet, the project is 32 lots or a total of 106,400 square feet. When divided by 43,560 square feet per acre the project is 2.4426 acres and at 10 units per acres, we are permitted to construct 24.4 units. This would leave the project with 7.6 lots that will never be built on and a maintenance issue for the homeowners association. The unique location of the project is being located next to public green space and walking trails. If the adjoining right of way is included in the project and the right of way is 50 feet by 266 feet, 13,300 square feet on North E Street, the project would have a dwelling units per acre of 27.5. $(13300 + 106400 = 119700 \text{ square feet} / 43,560 \text{ feet per acre} = 2.75 \text{ acres}$ and at 10 units per

acre, we would be allowed to build 27.5 units. The unique condition of being next to a public park allows us to get closer to the 10 units to 1 acre density requirement, if the park were to be counted as part of the project. These Lots were developed as part of the original Plat of the Northside Neighborhood and we desire to build according to the existing lot subdivision.

The curb and driveway criteria for residential districts require spacing between driveways of 10 feet minimum and distance from side lot line of 3 feet. We are requesting to decrease those distances to 4 feet between driveways and 2 feet from the side property line. Townhomes that have a 2 car garage and 16 feet wide driveway on a 25 feet wide lot would allow for only a 9 feet between driveways ($25 - 16 = 9$) and is impossible to meet the 10 feet between driveway requirement. One 25 feet wide lot, with a 5 feet side building line, there is only 20 buildable feet and a 2 car garage door is 16 feet wide, leaving 2 feet on either side of the door and 2 feet from the side property line.

We believe that Northside Village Sec.2 Townhomes is in the public interest as it develops a project in an area that the City has long determined is in need of development and revitalization. We believe that having a 20 feet side set back and 10 units to the acre create unnecessary hardship as the unique feature of being located next to City's designated green space/walking trail/park will provide for the set back and density intended regulations. The driveway regulations are not practical in a townhome project and create an unnecessary hardship. Granting these variances is in the spirit of the zoning ordinance and is good public policy.



Zone Change 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: 0 Barbours Cut Blvd.

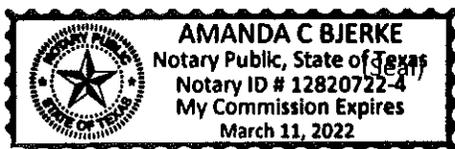
LEGAL DESCRIPTION: Lots 1-32 Block 331

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.

Charles Anders
Applicant's Signature

CHARLES ANDERS 5-31-18
Applicant's Printed Name

Subscribed and sworn before me this 31st day of May, 2018, by
Charles Anders (Print Applicant's Name).



Amanda C. Bjerke
Notary Public

My commission expires: 3/11/2022



A Meeting of the La Porte
Planning & Zoning Commission

Scheduled for
July 19, 2018

To Consider
Zone Change Request #18-92000006

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

I am OPPOSED to granting this request for the following reasons:

This will seriously impede my ability to conduct business.
It will hamper if not obstruct ~~there~~ truck access
to the business. Additional complaints are expected
from ~~from~~ incompatible uses. Increasing density will
only serve to exasperate these problems

Hoot And Hoot Property Inc. 415 W Barbour's Cut Blvd
Name (please print) Address

Signature

77571

City, State, Zip

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



July 19, 2018

AGENDA ITEM 7

Future Land Use Map Amendment #18-9200006

A request by Charles Anders of Bayway Homes Inc., applicant; on behalf of Kyrish Real Estate Limited Partnership, owner, for an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 2.44 acre tract of land legally described as Lots 1-32, Block 331, Town of La Porte Subdivision from, "Business Industrial" use to "Mid-High Density Residential" 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.

DISCUSSION

Staff is presenting for consideration an amendment to the city's Future Land Use Plan in conjunction with a zone change request on a 2.44 acre tract of land legally described as Lots 1-32, Block 331, Town of La Porte Subdivision.

The city's Future Land Use Plan (FLUP) identifies this property as "Business Industrial" land use. In order to accommodate the proposed development, the FLUP would need to be amended to allow for "Mid-High Density Residential" 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 B 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):

	Land Use	Development
North	Light Industrial	Industrial Park
South	Mid-High Density Residential	Single Family Homes
West	Business Industrial	Industrial
East	Business Industrial	Industrial

RECOMMENDATION

Should the Planning and Zoning Commission desire to recommend approval for zone change 18-92000006, then the city's Future Land Use Plan should be amended as described in this item.

ATTACHMENTS

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

CURRENT FLUP MAP

Zone Change
18-92000006

600 Block of 4th &
Martin Luther King
Jr. Dr.

Legend



Subject Parcels

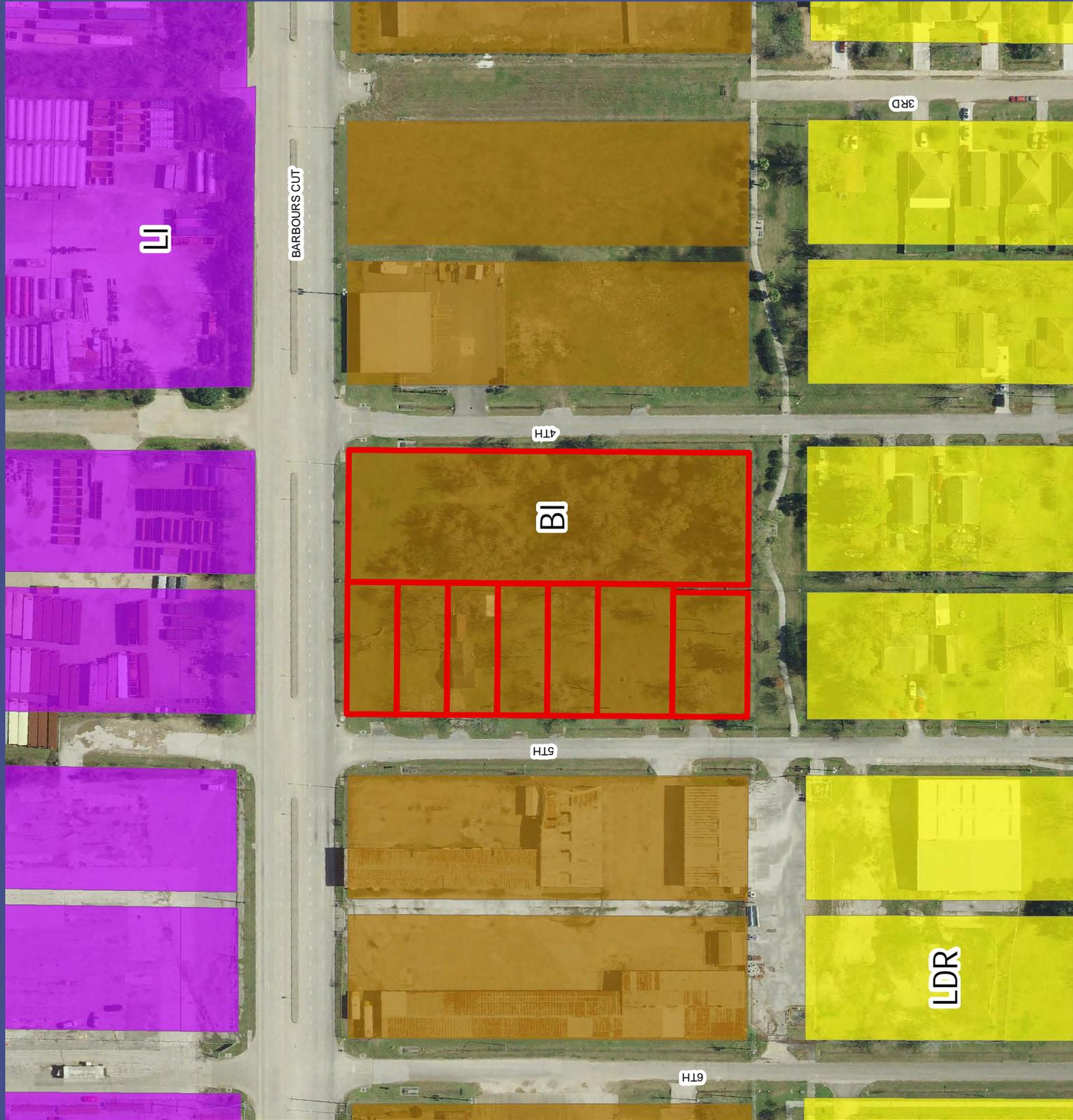


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 135 feet

JULY 2018
PLANNING DEPARTMENT



PROPOSED FLUP MAP

Zone Change
18-92000006

600 Block of 4th &
Martin Luther King
Jr. Dr.

Legend



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 = 137 feet

JULY 2018
PLANNING DEPARTMENT



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



July 19, 2018

AGENDA ITEMS 8-10

Zone Change Request #18-92000007

A request by Steve Adkisson, 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 4.22 acre tract of land located at the NE Corner of S. 16th St. and W. M St., and legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, 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 change in zoning from General Commercial (GC) to the Planned Unit Development (PUD) zoning district; on approximately 4.22 acres of land, legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, 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 applicant, along with the owner of the property, would like to change the zoning to PUD with a Special Conditional Use Permit (SCUP) to follow at a later date, allowing them to construct of 2 spec office warehouse facilities, each roughly 30,000 square feet, on the 4.22 acre tract. If approved, the applicant will apply for a street/alley closure for the remaining city ROW (15th St. and 2 allies).

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

The site is currently identified as General Commercial 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 Light Industrial.

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; signs were posted in the area of the rezoning within 10 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City’s website.

Analysis:

There are a number of different considerations staff evaluated during the review of this application. The following describes staff’s analysis of those considerations:

1. *Land Use.* Staff finds that allowing for 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 zone change will be in conformance with the future land use plan once amended to reflect the change to a light industrial use.
Character of the surrounding and adjacent areas.	The proposed zone change 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.

Planning and Zoning Commission Regular Meeting
 July 19, 2018
 Zone Change #18-9200007

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. 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 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 S. 16 th St.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed zone change from General Commercial (GC) to Planned Unit Development (PUD).

ATTACHMENTS

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

EXHIBIT A

AERIAL MAP

**Zone Change
#18-9200007**

**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

JULY 2018
PLANNING DEPARTMENT

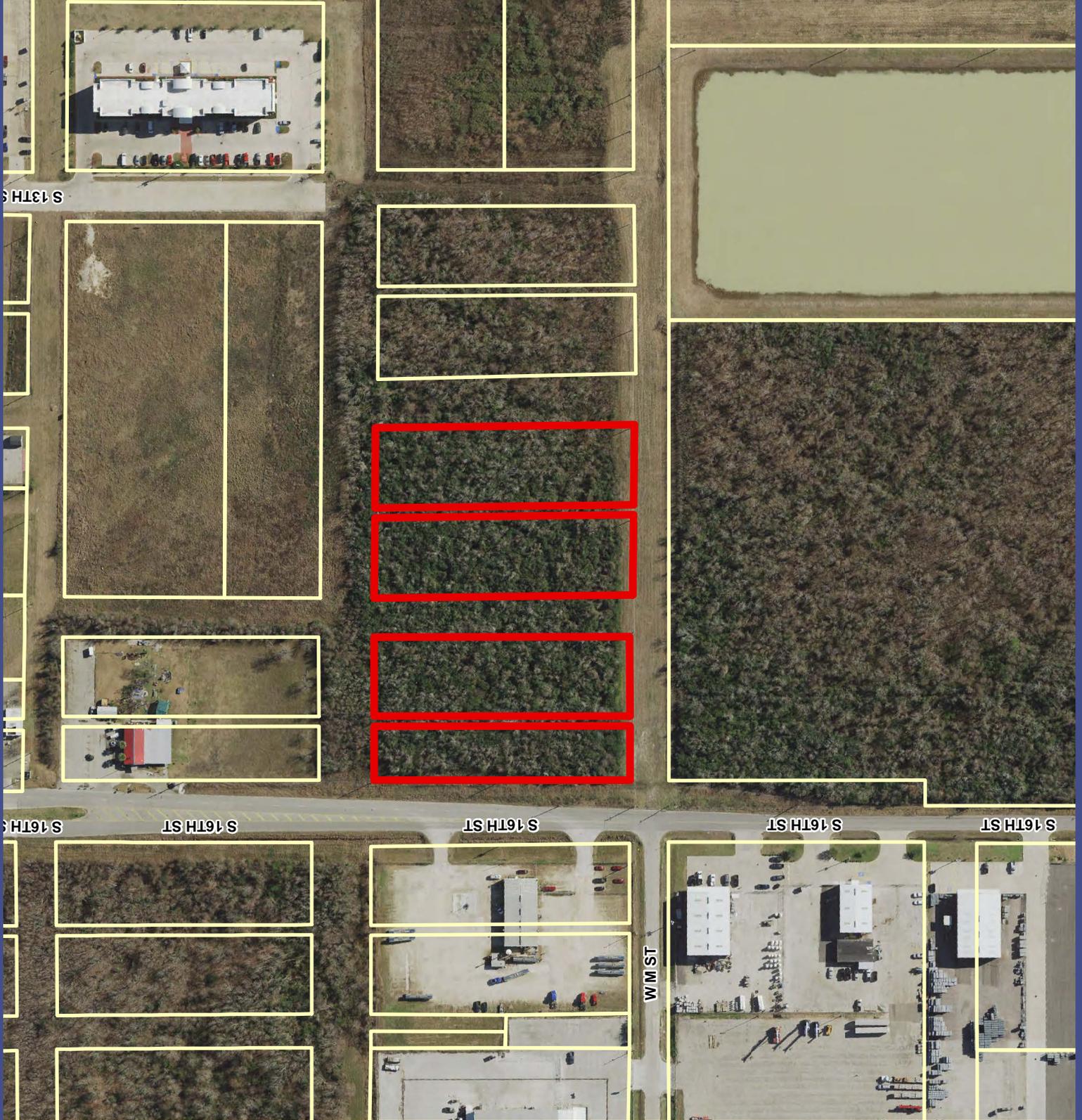


EXHIBIT B

ZONING MAP

**Zone Change
#18-9200007**

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

 Subject Property



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1 inch = 212 feet

JULY 2018
PLANNING DEPARTMENT

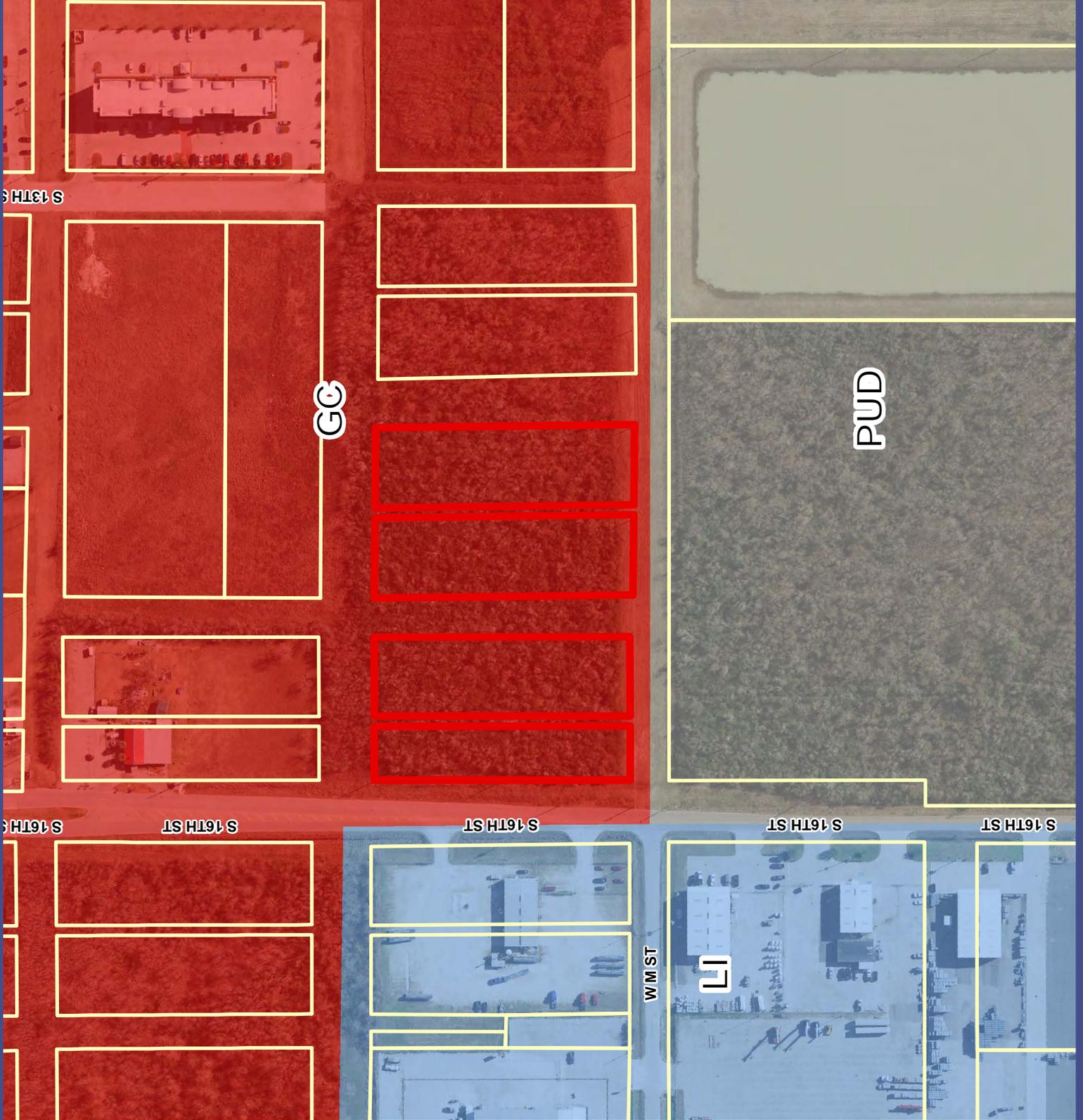


EXHIBIT C

FLUP MAP

**Zone Change
#18-9200007**

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

 Subject Property

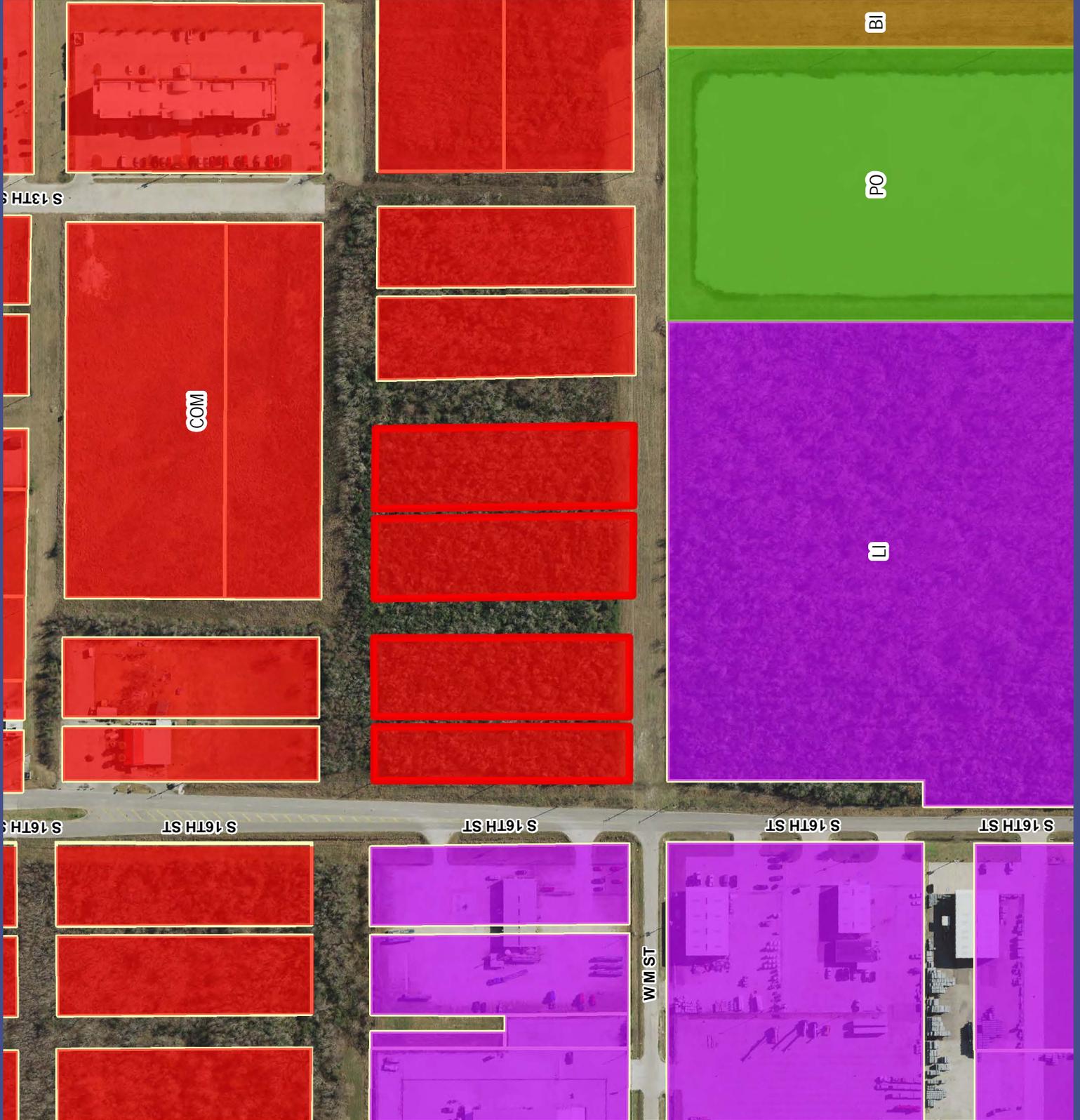


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1 inch = 212 feet

JULY 2018
PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 4.22 acres, 0 N. 16th St., La Porte TX 77571

Legal description where zone change is being requested: Lots 1-32, Blk 1144, Lots 17-32 & Tracts 1-16

HCAD Parcel Number where zone change is being requested: 0242030430001

Zoning District: General Commercial Lot area: 4.22 acres

A request for approval of a zone change is hereby made to the City of La Porte.

Description of Request: Change current zoning from General Commercial to PUD

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: Steve Adkisson

Company (if applicable): Adkisson Group, Inc.

Address: 12651 Briar Forest Dr., Suite 250

City: Houston State: TX Zip: 77077

Phone: 832-413-4475 Email: [REDACTED]

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: [Signature] Date: _____

Owner(s)' Signature(s): [Signature] Date: 6/6/18

STAFF USE ONLY:

Case Number:
18-9200007

Date Application Received:
Ms 6/20/18



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, 0 N. 16th St., La Porte TX 77571

LEGAL DESCRIPTION: Lots 1-32, Blk 1144, Lots 17-32 & Tracts 1-16

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: July 1, 2018.

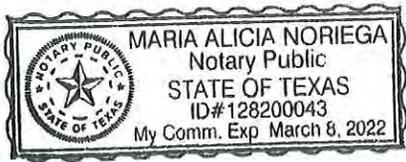
3. Said sign shall be placed on the property within 20 feet of the abutting street.

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.

[Signature]
Applicant's Signature

Stephen Adkisson
Applicant's Printed Name

Subscribed and sworn before me this 8 day of JUNE, 2018, by
Stephen Adkisson (Print Applicant's Name).



(Seal)

[Signature]
Notary Public
My commission expires: 6/8/18

June 12, 2018

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

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 Zone Change Application that is the subject of this letter.

Adkisson Group has the tracts referenced above under contract for purchase that we will develop ourselves into a small business park with two free standing metal buildings.

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

1. The development is anticipated to include two free-standing tilt wall/metal buildings, each approximately 30,000sf
 - a. Parking sufficient to meet current code requirements;
 - b. On site detention (approx. 0.75 acres) to meeting engineering requirements that will outfall into the 16th Street storm system;
 - c. Water and sanitary sewer utilities available in the 16th St. ROW sufficient for the development;
 - d. Ingress/egress drive on 16th St. sufficient to meet current requirements;
2. Adjacent property uses are as follows: (West) Light Industrial, (South) Planned Unit Development, (North) General Commercial, (East) General Commercial;
3. The proposed usage of these buildings is based on the following NAICS Codes:
 - 339** (*Misc. Manufacturing*);
 - 4231** (*Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers*);
 - 4236** (*Household Appliances and Electrical and Electronic Goods Merchant Wholesalers*);
 - 4237** (*Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers*);
 - 4238** (*Machinery, Equipment, and Supplies Merchant Wholesaler*);

4243 (*Apparel, Piece Goods, and Notions Merchant Wholesalers*);
4244 (*Grocery and Related Product Merchant Wholesalers*);
423990 (*Other Misc. Durable Goods Merchant Wholesalers*);
424499 (*Other Misc. Nondurable Goods Merchant Suppliers*);
424690 (*Other Chemical and Allied Products Merchant Wholesalers*);
4885 (*Freight Transportation Arrangement*);
488991 (*Packing and Crating*);
493 (*Warehousing and Storage*);
541380 (*Testing Laboratories*);

4. Numerous tracts within blocks of the site are either Light Industrial or Heavy Industrial including the Bayport Industrial District;
5. The site is on 16th St., which is designated as a High Frequency Truck route; and
6. 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).
7. The operator will not utilize now allow any on site ground container storage.

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 and repurposes vacant land to a higher usage.

Sincerely,

Steve Adkisson

Attachments:

- Property Survey
- Site Plan
- Elevations

LINE	BEARING	DISTANCE
L1	N 90°00'00" E	15.00'
L2	N 90°00'00" E	60.00'
L3	N 90°00'00" E	15.00'
L4	S 90°00'00" W	15.00'
L5	S 90°00'00" W	60.00'
L6	S 90°00'00" W	15.00'

Notes:
 1. Bases of bearings: the West line of the subject property as scaled per the recorded plat.
 This property lies within ZONE Shaded 'X' or SCALED from FEMA Map Panel Number 48201C0945-14, dated January 6, 2017.

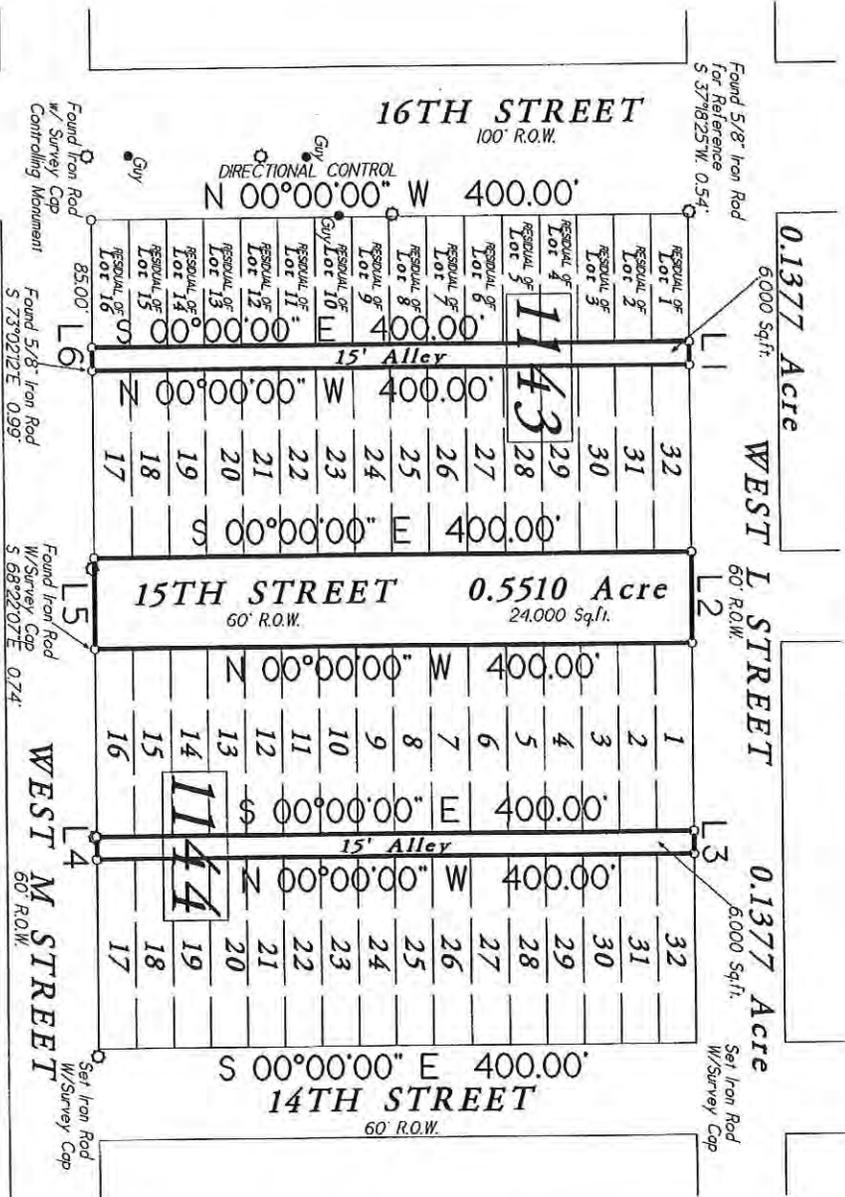
THIS MEANS THAT THE SUBJECT PROPERTY SCALES WITHIN THE 500 YEAR FLOOD PLAN.

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

Lots	Block	Size
1-6	143	34,000 Sqft./0.7805 Acre
1-6	144	50,000 Sqft./1.1478 Acres
7-32	144	50,000 Sqft./1.1478 Acres
7-32	143	50,000 Sqft./1.1478 Acres
5 Alley	143	6,000 Sqft./0.1377 Acre
5 Alley	144	6,000 Sqft./0.1377 Acre
5th St.	-	24,000 Sqft./0.5510 Acre

Being a 0.1377 acre (6,000 square foot), a 0.1377 acre (6,000 square foot) and a 0.5510 acre (square foot) tracts of land out of Blocks One Thousand One Hundred Forty Three (1143) and One Thousand One Hundred Forty Four (1144), of TOWN OF LAPORTE 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.



Date: April 23, 2017
 Upl No. 17-0158
 Address: -
 City, State: La Porte, Texas
 Scale: 1" = 100'
 Drawn By: RM
 Zc: 77571
 Rec: 0

C & C Surveying, Inc.
 7424 P.M. 1488, Suite A, Magnolia, Texas 77334
 Office: 281-359-4377 Metro: 281-356-5172
 Fax: 281-356-1935
 Email: onesurveyatastime@bglobal.net

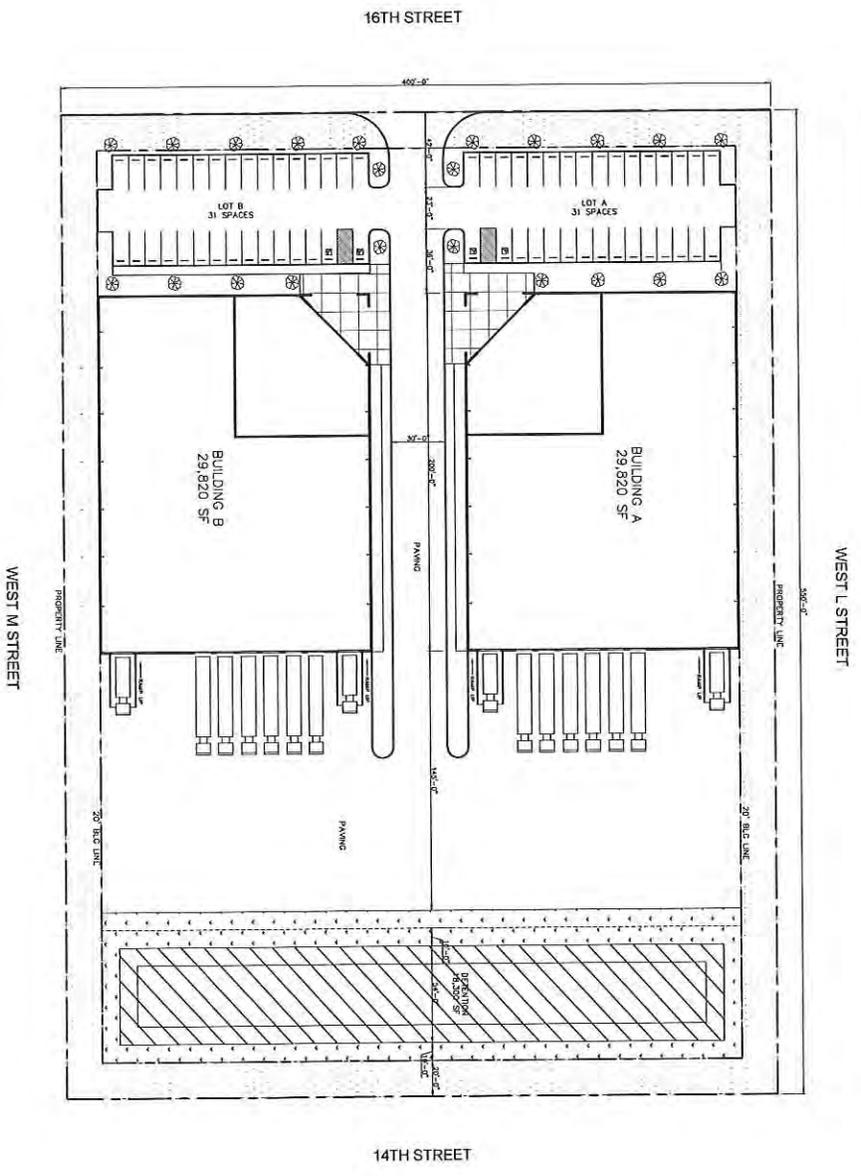


Certified To: Fidelity National Title Company
 Client: Cypressbrook Management Company

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 TENETS OF THE PROFESSIONAL SURVEYING SOCIETY AND THE TENETS OF THE PROFESSIONAL SURVEYING SOCIETY AND THAT THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN.

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

 **SITE PLAN**
1" = 32'-0"



05/09/18

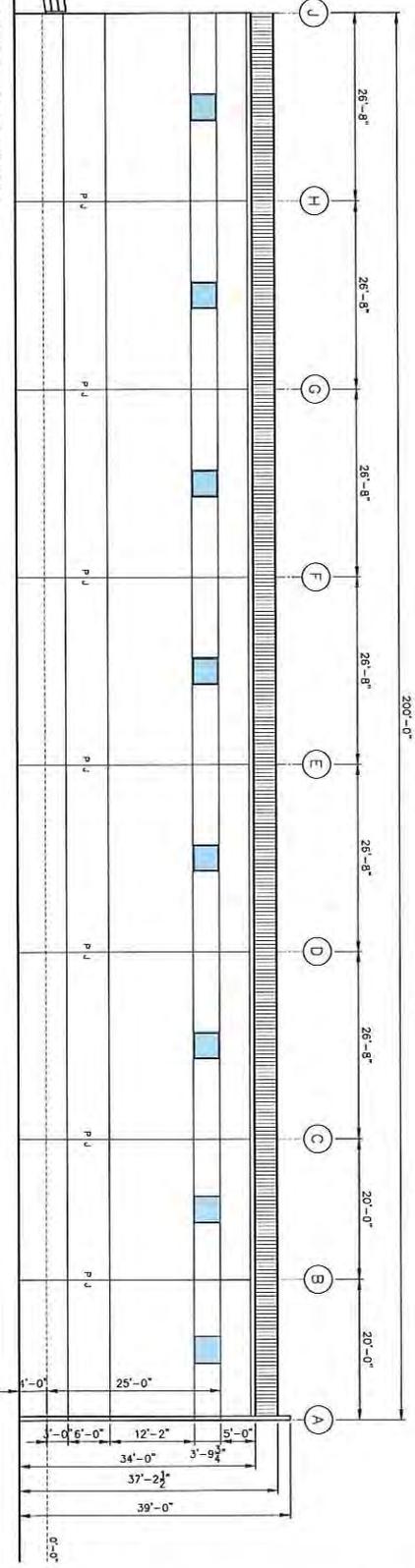
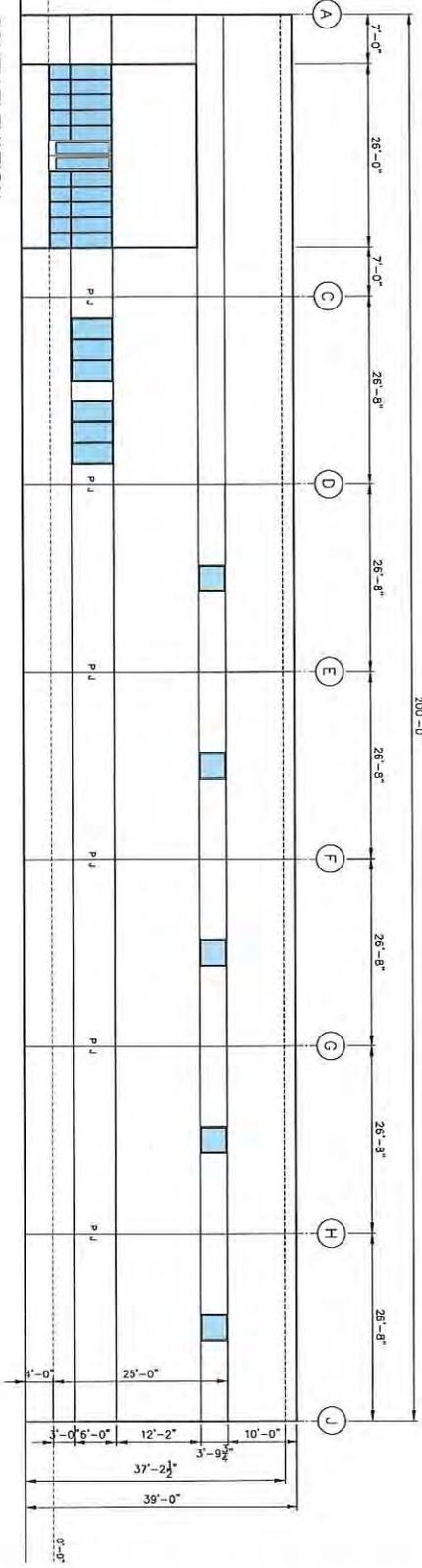
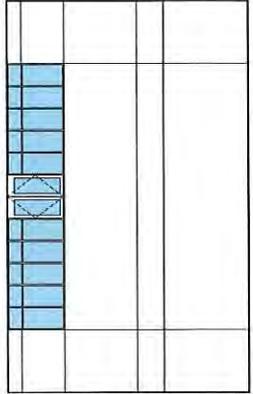
A1.0

DATE	NO.	BY	REVISION



OFFICE WAREHOUSE BUILDING
14TH STREET
LA PORTE, TX 77571

NO.	DATE	REVISION



05/09/18

A3.0

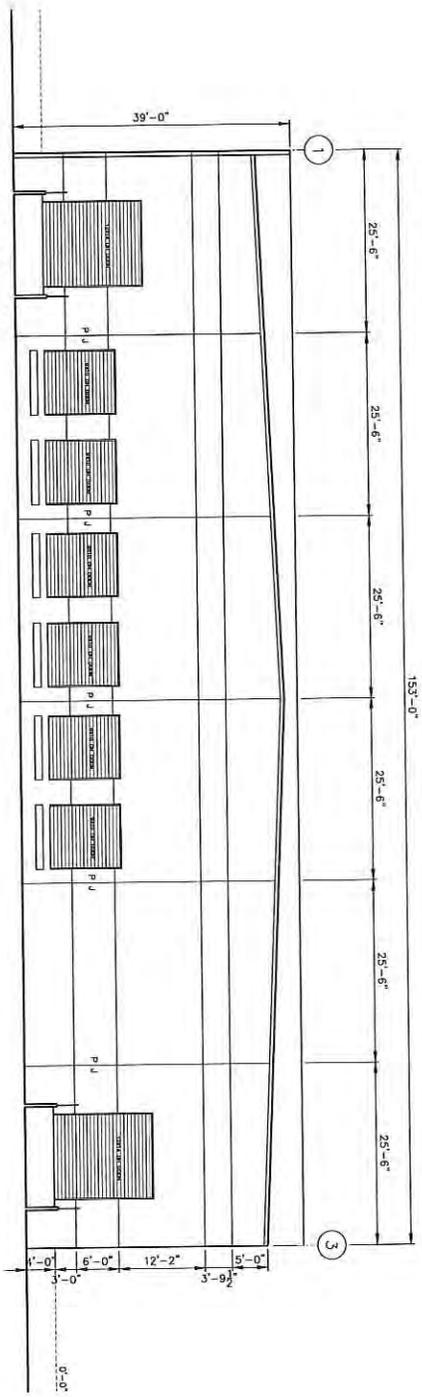
DATE	05/09/18
BY	AM
CHECKED BY	AM
PROJECT NO.	
DRAWING NO.	



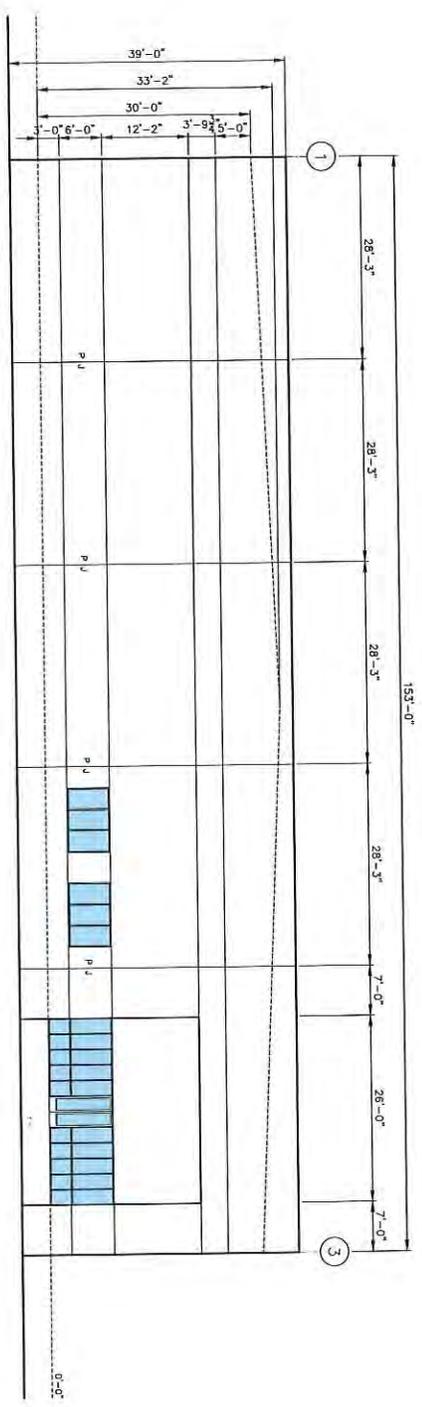
OFFICE WAREHOUSE BUILDING
14TH STREET
LA PORTE, TX 77571

NO.	DATE	DESCRIPTION

EAST ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



REVISIONS AND QUANTITIES		
NO.	DATE	DESCRIPTION

OFFICE WAREHOUSE BUILDING
14TH STREET
LA PORTE, TX 77571



PROJECT TITLE
ESTIMATOR
DRAWING NO.
DATE
JOB NO.

05/09/18

A3.1

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



July 19, 2018

AGENDA ITEM 11

Future Land Use Map Amendment #18-92000007

A request by Steve Adkisson, applicant, on behalf of Carrington F. Weems, owner, owner for an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 4.22 acre tract of land legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, La Porte Subdivision from "Commercial" use to "Light Industrial" 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.

DISCUSSION

Staff is presenting for consideration an amendment to the city's Future Land Use Plan in conjunction with a zone change request on a 4.22 acre tract of land from GC to PUD. The site is currently undeveloped and is located on the east side of S. 16th St. north of the W. M St. ROW.

The city's Future Land Use Plan (FLUP) identifies this property as "Commercial" land use. In order to accommodate the proposed development, the FLUP would need to be amended to allow for "Light Industrial" 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):

	Land Use	Development
North	Commercial	Undeveloped
South	Light Industrial	Port Crossing
West	Light Industrial	Industrial Development
East	Commercial	Undeveloped

RECOMMENDATION

Should the Planning and Zoning Commission desire to recommend approval for zone change 18-92000007, then the city's Future Land Use Plan should be amended as described in this item.

ATTACHMENTS

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

EXHIBIT A

CURRENT LAND USE MAP

**Zone Change
#18-92000007**

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

 Subject Property



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1 inch = 212 feet

JULY 2018

PLANNING DEPARTMENT



EXHIBIT B

**PROPOSED LAND
USE MAP**

**Zone Change
#18-92000007**

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

 Subject Property



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JULY 2018

PLANNING DEPARTMENT



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



July 19, 2018

AGENDA ITEMS 12-14

Special Conditional Use Permit #18-91000008

A request by Kathryn Edwards of BGE Kerry R. Gilbert & Associates, applicant, on behalf of Don Stephens of Aldersgate Trust, owner; to allow for a skilled nursing facility, to locate on a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots

*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 skilled nursing facility, to locate on a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots?

DISCUSSION

Location:

The subject site is located on the west side of Underwood Rd., north of Fairmont and south of Caniff Rd.

Background Information:

The property is currently undeveloped and zoned Planned Unit Development (PUD). The applicant is interested in developing a skilled nursing facility on the site. The proposed development will include a 51,000-sq. ft. building with approximately 124 beds and 62 rooms. The facility will primarily be used by patients who are transitioning between hospital care and independent living. It will have a compliment of up to 130 professionals and will provide full laundry, dining, and kitchen services in addition to the medical services. The facility will be a single building composed of all brick and stone elevations (see attached). The one-story building will also incorporate a traditional pitched roof design that is consistent with the surrounding residential areas.

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	R-1, Low Density Residential	Summer Winds Subdivision
South	NC, Neighborhood Commercial	Fast Food/ Fuel Station
West	NC, Neighborhood Commercial	Vacant/First United Methodist Church
East	R-3, High Density Residential	Fairmont Oaks Apartments

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.* The proposed skilled nursing facility is a good fit with the surrounding land uses and will act as a buffer between the single family residential to the north and the commercial to the south. Current Future Land Use designation is listed as NC, Neighborhood Commercial. The proposed nursing facility is a permitted use in the NC district, so there is no need to amend the land use map.
2. *Access.* There is sufficient existing right-of-way access along Underwood Rd. and Caniff Rd.
3. *Utilities.* Sewer services are available along the western property line of the site. Water service is available across Underwood Rd. from the proposed site and will need to be extended by the developer.

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 development patterns in the area and would serve as a transitional buffer between existing single family res. And commercial.
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 a good transitional use between the residential to the north, and the commercial to the south.
Suitability of the property for the uses which would be permissible, considering density, access and	The site, due to its size and shape, would not be ideal for single family development. Due to its proximity to established residential neighborhoods, commercial or industrial activity would not be desirable. Staff feels

circulation, and adequacy of public facilities and services.	comfortable that a skilled nursing facility would be a great fit for this particular tract.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	Underwood Rd. is a 4 lane road with a pre-existing center turn lane located in front of the proposed tract. Caniff is a 2 lane, 28ft. paved road. Capacity to serve this site should not be an issue.
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 any additional 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 adds a much needed facility to the city for a specific group of residents to provide transitional housing.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed SCUP to allow for a skilled nursing 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 A

AERIAL MAP

**SCUP
18-91000008**

**Underwood Dr.
@ Fairmont Pkwy.**

Legend



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 = 281 feet

**JULY 2018 PLANNING
DEPARTMENT**



EXHIBIT B

ZONING MAP

SCUP
18-91000008

Underwood Dr.
@ Fairmont Pkwy.

Legend



Subject Parcel



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1 inch = 281 feet

JULY 2018 PLANNING DEPARTMENT

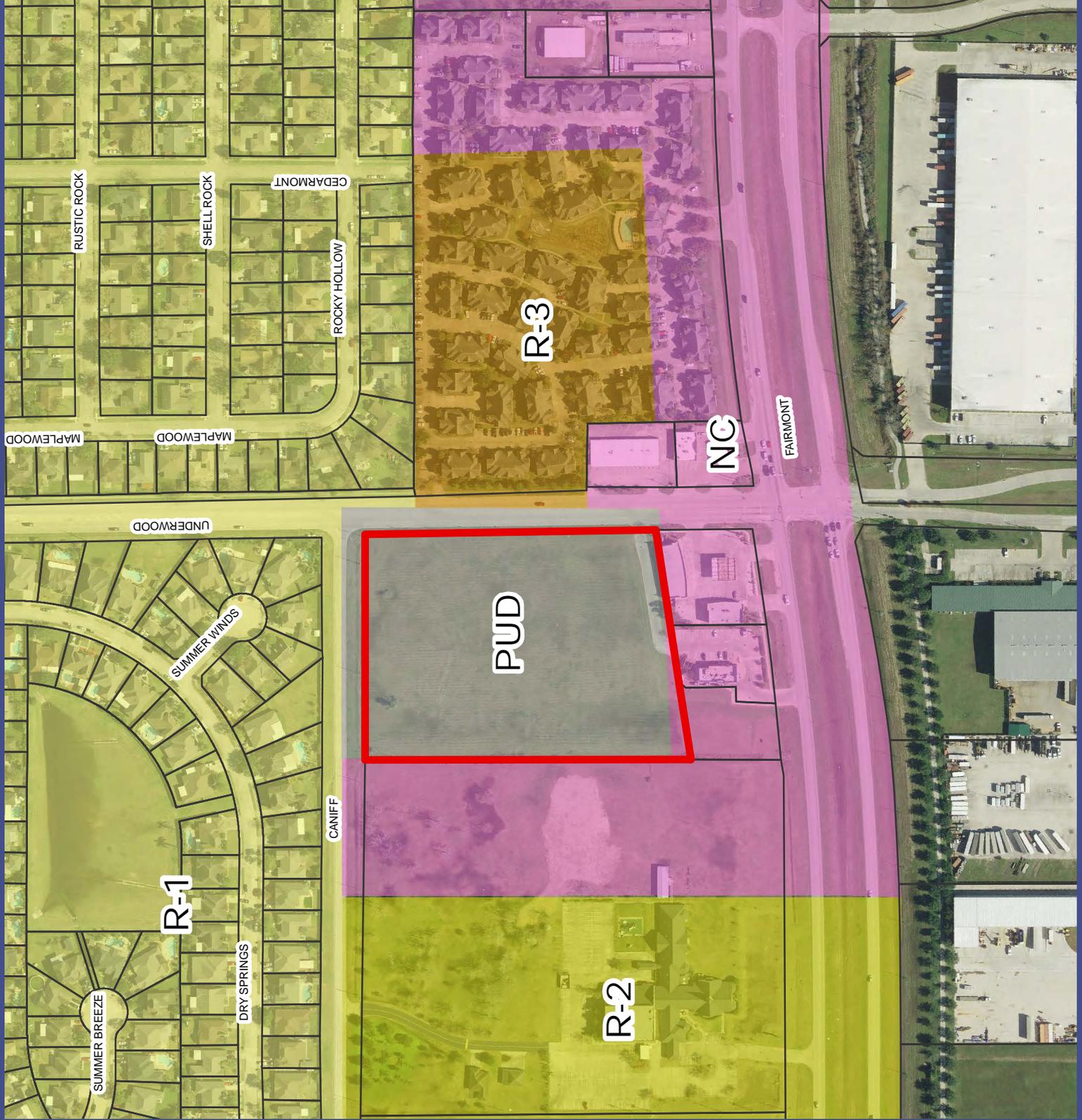


EXHIBIT C

FLUP MAP

SCUP
18-91000008
Underwood Dr.
@ Fairmont Pkwy.

Legend

 Subject Parcel

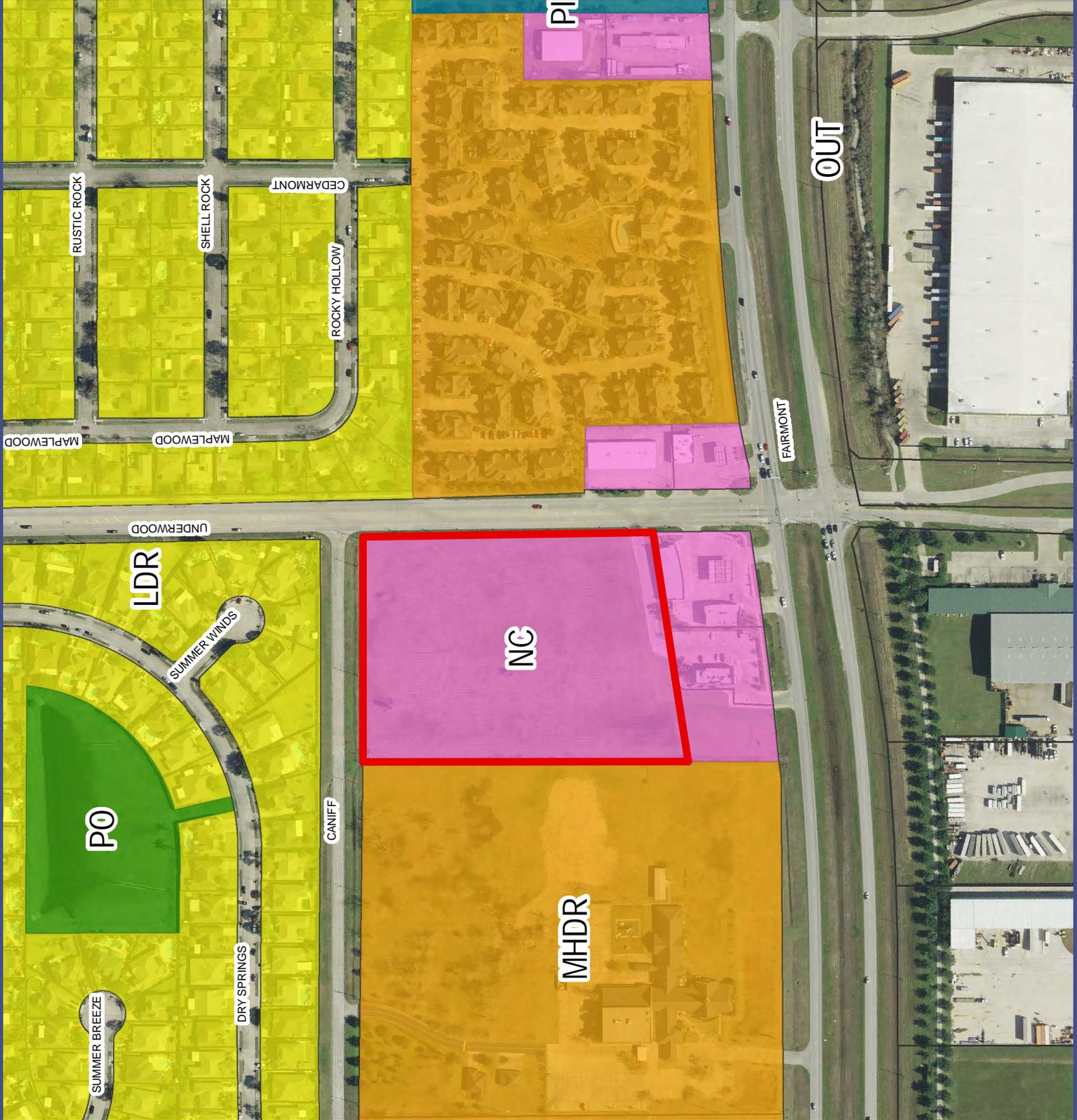


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1 inch = 281 feet

JULY 2018 PLANNING DEPARTMENT



City of La Porte
Special Conditional Use Permit #18-91000008

This permit is issued to: Kathryn Edwards of BGE Kerry R. Gilberts and Associates
Owner or Agent

23501 Cinco Ranch Blvd. Ste. A-250 Katy, TX 77494
Address

For Development of: La Porte Skilled Nursing Facility
Development Name

SW Corner of Caniff Rd. and Underwood Rd.
Address

Legal Description: A 6.95 acre tract of land legally described Tracts 718B, 719, and 719A, La Porte Outlots, Harris County, La Porte, TX

Zoning: PUD, Planned Unit Development

Use: Skilled Nursing Facility

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. Permitted use on site will be described as Nursing Care Facilities (Skilled Nursing Facilities) NAICS code 623110
3. The underlying zoning will be NC. All NC development requirements will need to be met.
4. Buildings constructed along Caniff Rd. will be restricted to 1 story.
5. Buildings not along Caniff Rd. may not exceed 2 stories.
6. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
7. 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.

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: SE Corner of Caniff Road and Underwood Road @Fairmont Parkway, La Porte, Texas

Legal description where SCUP is being requested: TRS 718B 719 & 719A LA PORTE OUTLOTS

HCAD Parcel Number where SCUP is being requested: 0231460000719

Zoning District: Planned Unit Development Lot area: 6.95 Ac

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

Description of Request: The SCUP request is for a 51,000 sq. ft. Skilled Nursing Facility on the subject property. The development is intended for for patients who are transitioning between hospital care and independent living. The project will consist of approximately 124 beds with a 120 to 130 person staff. It will adhere to all the necessary development regulations.

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: Attn: Don Stephens

Company (if applicable): Aldersgate Trust

Address: 1440 Lake Front Circle, Suite 140

City: The Woodlands State: TX Zip: 77380

Phone: 281-210-0138 Email: [REDACTED]

AUTHORIZED AGENT (If other than owner)

Name: Kathryn Edwards

Company (if applicable): BGE| Kerry R. Gilbert & Associates

Address: 23501 Cinco Ranch Blvd. Suite A-250

City: Katy State: TX Zip: 77494

Phone: 281-579-0340 Email: [REDACTED]

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: Kathryn Edwards Date: 06/20/18

Owner(s)' Signature(s): Don Stephens, TRUSTEE Date: 06/20/18

STAFF USE ONLY:

Case Number: **18-91000008**

Date Application Received:



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

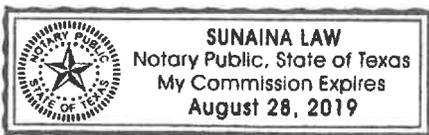
The undersigned hereby duly swears on oath and says:

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: SE Corner of Caniff Road and Underwood Road @Fairmont Parkway, La Porte, Texas
LEGAL DESCRIPTION: TRS 718B 719 & 719A LA PORTE OUTLOTS
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: July 9, 2018.
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.

Kathryn Edwards
Applicant's Signature

Kathryn Edwards
Applicant's Printed Name

Subscribed and sworn before me this 20th day of June, 2018, by Kathryn Edwards (Print Applicant's Name).



(Seal)

Sunaina Law
Notary Public

My commission expires: August 28, 2019



June 20, 2018

Richard Mancilla, P.E.
Director, Planning and Development Department
City of La Porte
604 W. Fairmont Parkway
La Porte, TX 77571

RE: La Porte Skilled Nursing Facility SCUP_ SE Corner of Caniff Rd. and Underwood Rd

On behalf of Smithers Merchant Builders, LP and Aldersgate Trust, BGE | Kerry R. Gilbert & Associates respectfully submits this letter along with the Special Conditional Use Permit application and Site Plan for a proposed Skilled Nursing Facility on ±6.96 acres located at the South East corner of Caniff Rd and Underwood Rd. The project is immediately east of the First United Methodist Church of La Porte, north of the Jack in the Box and Shell Gas Station and west of Fairmont Oaks. North of the tract, separated by Caniff Rd, is the Summer Winds subdivision. The property is currently zoned as a Planned Unit Development (PUD) which requires a Special Conditional Use Permit prior to development.

The proposed project is a 51,000-sq. ft. Skilled Nursing Facility with approximately 124 beds and 62 rooms. The facility will primarily be used by patients who are transitioning between hospital care and independent living. It will have a compliment of up to 130 professionals and will provide full laundry, dining, and kitchen services in addition to the medical services. The facility will be a single building composed of all brick and stone elevations (see attached). The one-story building will also incorporate a traditional pitched roof design that is consistent with the surrounding residential areas. Primary access to the facility will be from the Caniff Road, visitors will enter through the northeast entrance while staff and deliveries will enter the site through the northwestern entrance. It is anticipated that access to Caniff will be from Underwood which is a primary arterial. Visitors will exit the site via either the Caniff Road or Underwood driveway, whereas delivery vehicles will exit the site through the southeastern driveway onto Underwood. The parking is located on three sides of the building, with visitor parking in the front and staff parking in the rear; the south side parking will be for overflow from either visitors or staff. Parking was not provided on the north side of the building to reduce the opportunity for headlights impacting the residential development to the north.

The use is compatible with the neighboring church site, the residential homes and the commercial uses at the corner of Underwood and Fairmont Parkway. Due to the character of the use, there will be minimal traffic impact to surrounding areas. The employee shifts will be broken up throughout the day, limiting any single times of high traffic influx. In addition, the visiting hours are typically 8am to 8pm, which ensures minimal traffic to the site early in the morning or late in the evening, further decreasing any potential of negative impact to residents. The site will include its own private access and will not require, nor allow for, cut-through traffic from the church and/or commercial use.

Furthermore, the character of the skilled nursing facility use successfully creates a transitional use between the residential neighborhoods and the commercial areas. It provides a low impact use that acts as a buffer between the residential areas and the high impact commercial areas along Fairmont. In addition, because of the residential and commercial qualities of the skilled nursing facility, it is compatible with the existing commercial uses.

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23501 Cinco Ranch Boulevard | Suite A-250 | Katy, Texas 77494 | 281-579-0340

The project will be developed within the current development standards for the City of La Porte. This includes an on-site detention basin to address any increase to storm water as a result of the project's construction, fire protection infrastructure (fire sprinkler system, etc.), the necessary screening and landscaping requirements, parking for staff, visitors and residents, exterior lighting and all other applicable regulations.

Comprehensive Plan Compliance

The City of La Porte Comprehensive Plan depicts this tract as NC (Neighborhood Commercial), comparable to the NC Zoning district in the zoning ordinance. The intent of this district is to provide services for residents and to have uses that are compatible with surrounding residential uses. The proposed skilled nursing facility will be a transitional use between traditional residential and commercial/service oriented uses, which is consistent with the intent of the comprehensive plan. It will be a use that can benefit residents in the area who are in recovery from medical procedures by providing care and rehabilitation services within their community. It will also provide job opportunities for residents of the area. All of this is achieved without negatively impacting the existing uses in proximity of the subject property.

Expiration

Due to development coordination and financing needs with financial institutions, we respectfully request no official expiration date of for the SCUP. However, a general timeline estimate and/or build by dates may be provided to ensure progress of the development.

Conclusion

This SCUP creates the opportunity for the development of a use that will be strongly compatible with all adjacent land uses, will provide a service for residents of La Porte and will produce no negative impact to the surrounding areas.

The La Porte Zoning Ordinance cites the following three criteria for approval of a Special Conditional Use Permit:

1. *The specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.*

Response: The proposed location and land use within the SCUP is compatible with or superior to the existing surrounding uses and is consistent with the City's Comprehensive Plan. Property values will not be impaired within the immediate vicinity.

2. *The conditions placed on such use as specified in each district have been met by the applicant.*

Response: The conditions stipulated within the SCUP will be adhered to by the developer and will be enforced by City staff during development process. The project has already made steps to address comments received from staff to date and will make any other changes deemed necessary.

3. *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.*

Response: The development will comply with all City codes, except as consistent with standards discussed herein, during all phases of the project.



Based on the conditions included within this SCUP application, approval of this SCUP conforms to the City's Comprehensive Plan and meets the criteria for approval. We respectfully request your review and favorable consideration of this request. Please let us know if you have any questions or require any additional information.

Regards,

A handwritten signature in blue ink that reads "Kathryn Edwards". The signature is written in a cursive, flowing style.

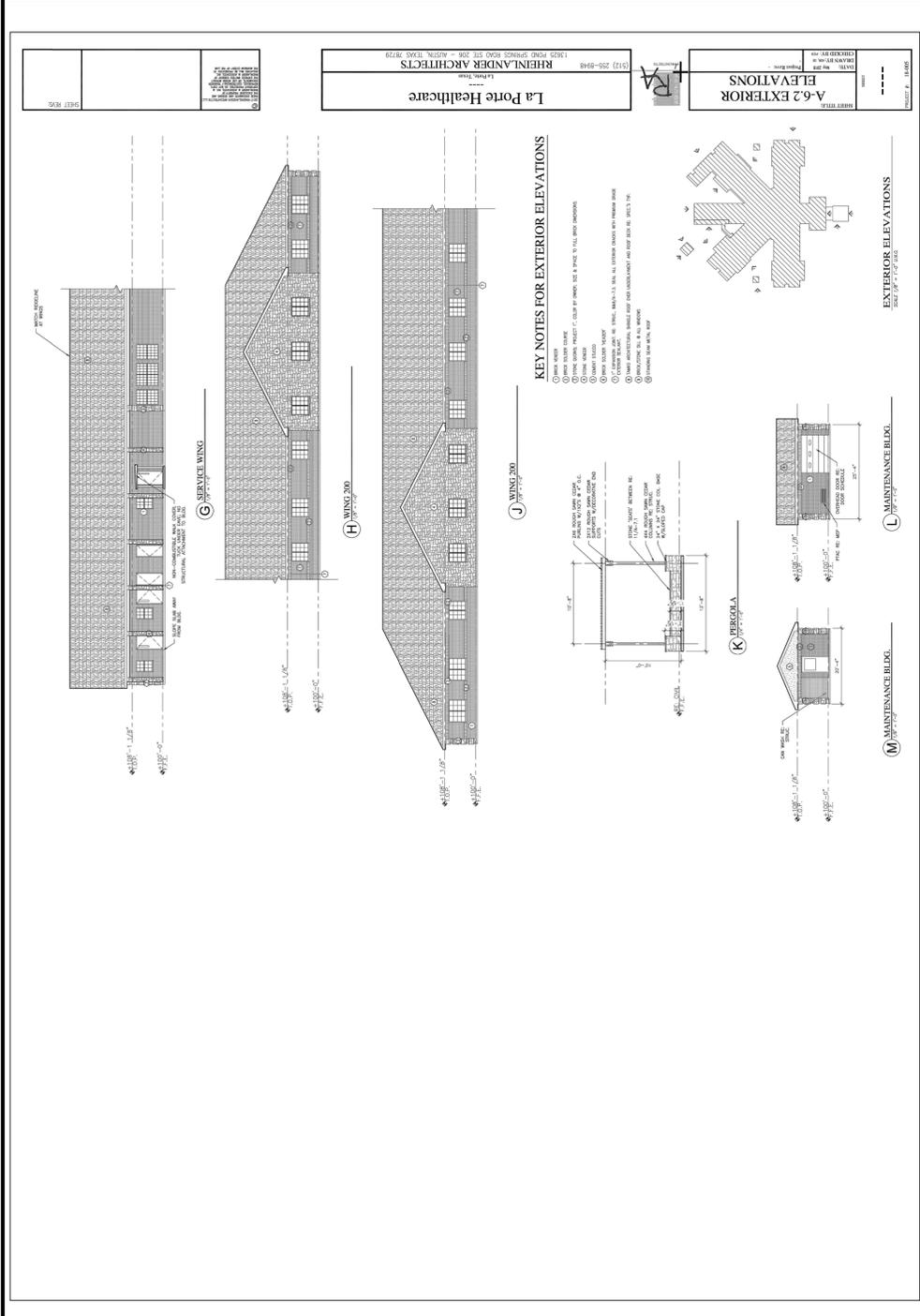
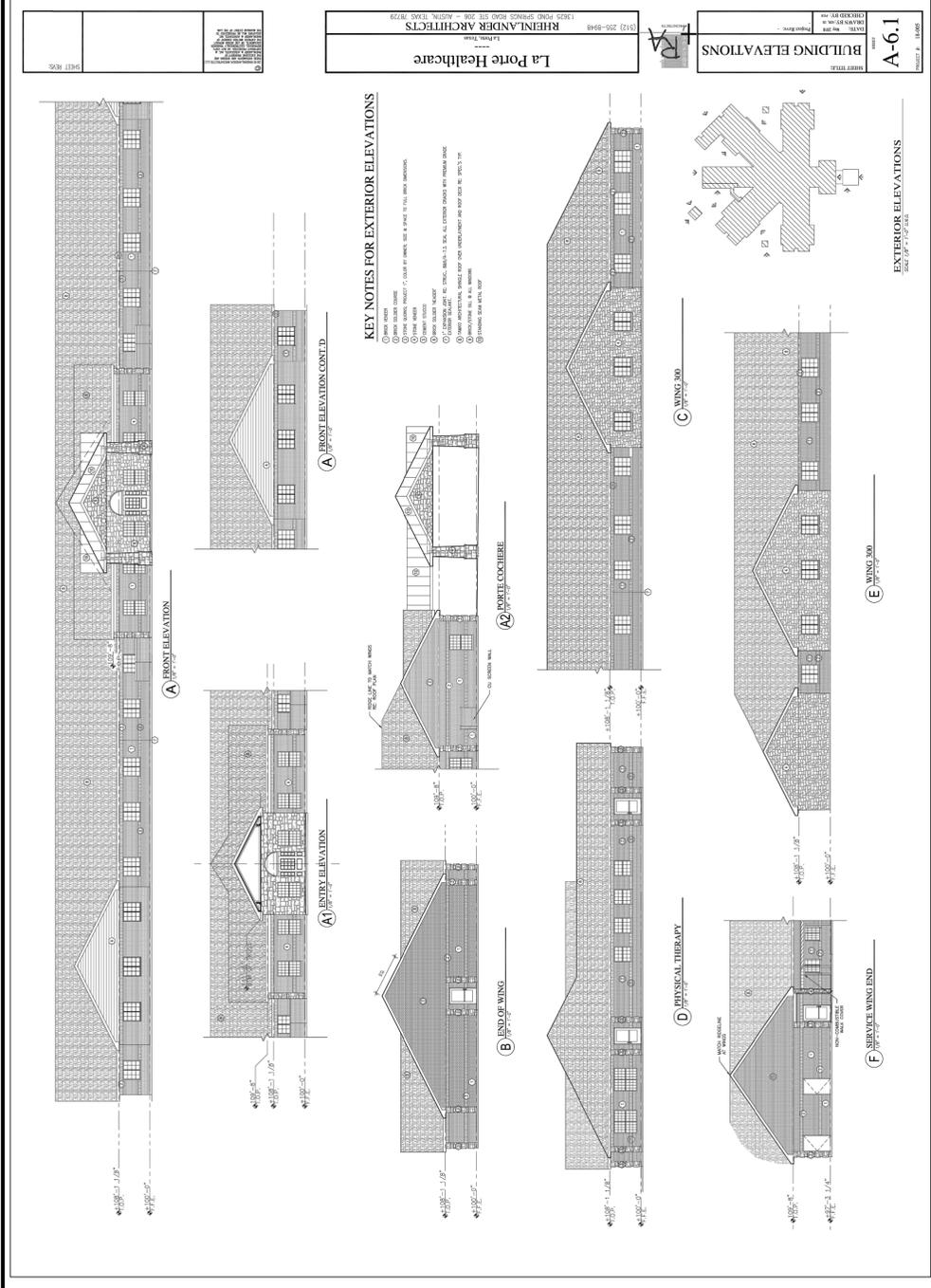
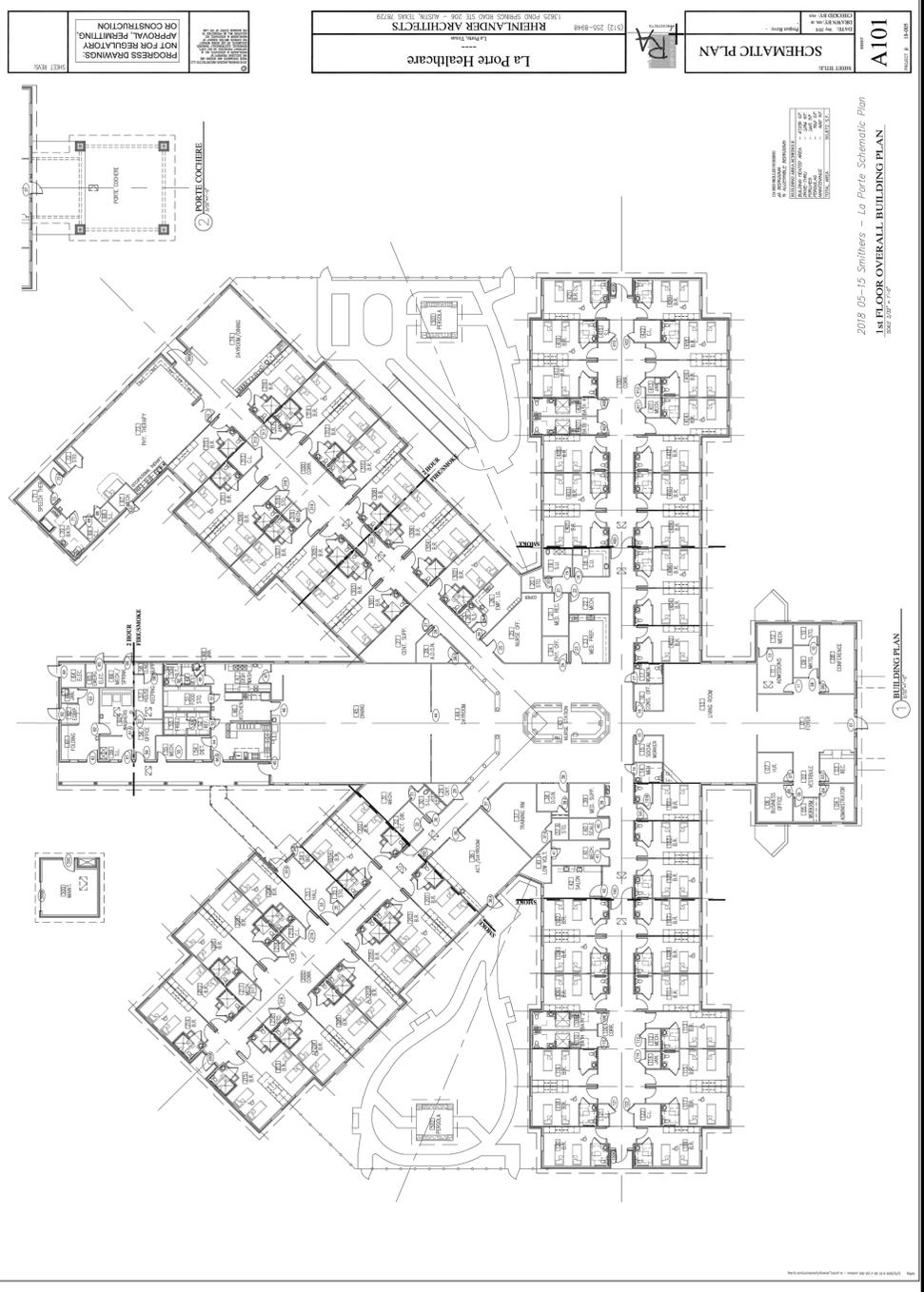
Kathryn Edwards

Enclosure:
Preliminary Elevations
Project Site Plan

BCE Inc.
1077 Westmore Suite 400 Houston, TX 77042
Tel: 281.440.1000
www.bceinc.com
TREC Registration No. 011546

LA PORTE SKILLED NURSING FACILITY SITE PLAN ELEVATIONS

DATE: 6/21/18
SCALE: AS SHOWN
JOB NO.: 5923-00
SHEET: EXHIBIT 2



NOTE: BUILDING ELEVATION SHEETS ARE SCALED TO FIT ON THIS SHEET.

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



July 19, 2018

AGENDA ITEM 15

A request by Kathryn Edwards of BGE Kerry R. Gilbert & Associates, applicant, on behalf of Don Stephens of Aldersgate Trust, owner; for approval of the proposed General Plan for a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots.

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

Planning and Development Department Staff Report

ISSUE

Consider approval of a request by Kathryn Edwards of BGE Kerry R. Gilbert & Associates, applicant, on behalf of Don Stephens of Aldersgate Trust, owner; for approval of the proposed General Plan for a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots, located on the west side of Underwood Rd. This item would become an exhibit to the Special Conditional Use Permit (Agenda Item #12), should it be approved by the Planning and Zoning Commission and City Council.

RECOMMENDATION

Staff recommends approval of the proposed General Plan for the La Porte Skilled Nursing facility, 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 skilled nursing facility on a roughly 6.95 acre tract of land. 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 6.95 acres in area and is located on the west side of Underwood Rd. north of the Fairmont Pkwy and south of Caniff Rd. The attached Exhibit B is an Aerial Map showing the location of the subject property.

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

	Zoning	Land Use
North	R-1, Low Density Residential	Summer Winds Subdivision
South	NC, Neighborhood Commercial	Fast Food/ Fuel Station
West	NC, Neighborhood Commercial	Vacant/First United Methodist Church
East	R-3, High Density Residential	Fairmont Oaks Apartments

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 "Neighborhood Commercial."

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 #12 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 the approved SCUP document as well as Chapter 106, Zoning, of the city's Code of Ordinances including but not limited to parking, detention, façade design, landscaping, etc.

The proposed development will include a 51,000-sq. ft. Skilled Nursing Facility with approximately 124 beds and 62 rooms. The facility will primarily be used by patients who are transitioning between hospital care and independent living.

RECOMMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission approve the proposed General Plan as an exhibit to SCUP #18-91000008, to allow for a skilled nursing facility in the PUD zoning district.

ATTACHMENTS

- Exhibit A: Proposed General Plan
- Exhibit B: Area Map

EXHIBIT A

AERIAL MAP

General Plan

**Underwood Dr.
@ Fairmont Pkwy.**

Legend



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 = 281 feet

**JULY 2018 PLANNING
DEPARTMENT**



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



July 19, 2018

AGENDA ITEMS 16-18

Special Conditional Use Permit #18-91000009

A request by Hans Brindley of Liberty Property Trust, applicant and owner; to allow for a Petroleum and Petroleum Products Merchant Wholesaler (NAICS 424720), to locate on a 34.69 acre tract of land legally described as Reserve "I" in Port Crossing Commerce Center 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 Petroleum and Petroleum Products Merchant Wholesaler, to locate on a 34.69 acre tract of land legally described as Reserve "I" in Port Crossing Commerce Center Subdivision?

DISCUSSION

Location:

The subject site is located at 1302 Wharton Weems Blvd. within the Port Crossing Commerce Park.

Background Information:

The property is currently under development with a 600,000 square foot building. The proposed tenant would take up roughly 450,000 square feet of the new building. The site is located within the Port Crossing Commerce Park which has an active SCUP and Development Agreement. The agreement designates this site as Business Industrial (BI). The proposed NAICS code, 424720, requires approval of a SCUP within the BI zoning district.

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	PUD, Planned Unit Development	Laydown Yard
South	PUD, Planned Unit Development	Undeveloped
West	PUD, Planned Unit Development	Warehouse/Distribution Facility
East	PUD, Planned Unit Development	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.* The proposed wholesale use is an ideal fit for the existing Port Crossing Commerce Park due to the location within the city and existing development and infrastructure already in place.
2. *Access.* The proposed site has frontage on Wharton Weems Blvd. and S. 16th St. both streets are designated as High Frequency truck routes with access to SH 146.
3. *Utilities.* Water and sewer services are available along the eastern edge of the property as well as along S. 16th St. and Wharton Weems Blvd.

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 use would be of similar character to existing uses within the Port Crossing Commerce park.
Conformance of a zoning request with the land use plan.	The proposed use will be in conformance with the future land use plan as the property is currently zoned for industrial uses.
Character of the surrounding and adjacent areas.	The proposed use would be consistent with the surrounding area and would occupy the majority of a spec building currently under construction.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The site is an ideal candidate for industrial uses due to its existing zoning, access to the site from SH 146, and its location within Port Crossing.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed use would not have a major negative impact to the existing city and county road infrastructure. Trucks would enter and exit the park from the SH 146 feeder road.
The extent to which the proposed use designation would create excessive air	The proposed use will not create any additional excessive air pollution or other negative environmental issues.

pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	
The gain, if any, to the public health, safety, and welfare of the City.	The proposed use would not have an impact to the public health, welfare, or safety of the city.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission recommend approval of the proposed SCUP to allow for a Petroleum and Petroleum Products Merchant Wholesaler use 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

AERIAL MAP

SCUP
18-91000009

1302 Wharton
Weems Blvd.

Legend



Subject Parcel



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1 inch = 675 feet

JULY 2018
PLANNING DEPARTMENT



ZONING MAP

SCUP
18-91000009

1302 Wharton
Weems Blvd.

Legend



Subject Parcel



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1 inch = 675 feet

JULY 2018
PLANNING DEPARTMENT



FLUP MAP

SCUP
18-91000009

1302 Wharton
Weems Blvd.

Legend

 Subject Parcel



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1 inch = 675 feet

JULY 2018
PLANNING DEPARTMENT

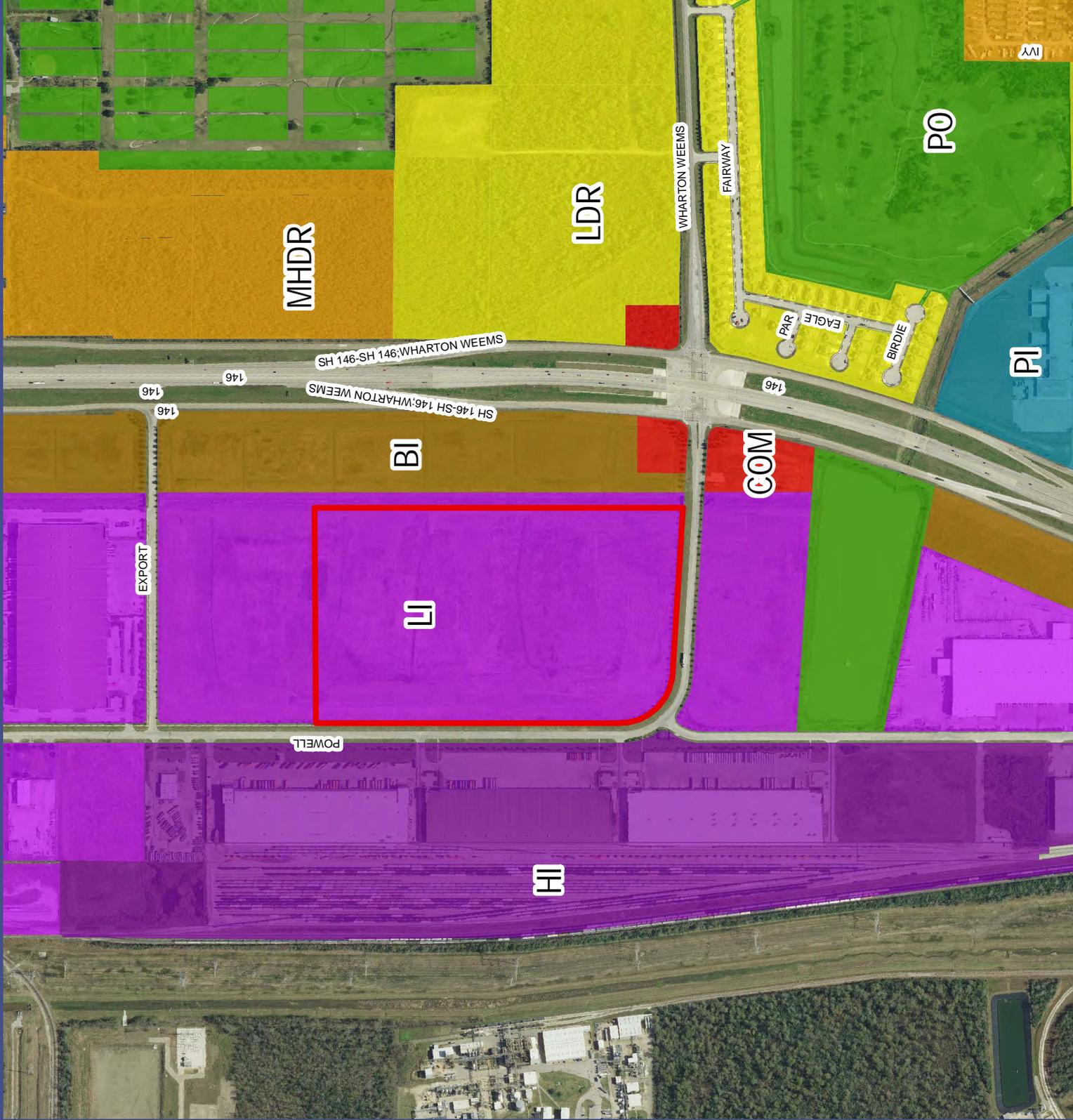


EXHIBIT D

**City of La Porte
Special Conditional Use Permit
#18-91000009**

This permit is issued to: Hans Brindley of Liberty Property Trust
Owner or Agent

8827 N Sam Houston Pkwy. Houston, TX 77064
Address

For Development of: NAICS 424720
Development Name

N/A
Address

Legal Description: 34.69 acres in Reserve "I", Port Crossing Commerce Center.

Zoning: PUD

Use: NAICS 4724720

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. Petroleum and Petroleum Products Merchant Wholesaler, NAICS Code 424720.
2. Permitted use shall only be allowed on the described 34.69 acre tract, and nowhere else within the Port Crossing Development.
3. The underlying zoning is BI. All BI development requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
5. 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.

Failure to start construction of the site or to obtain applicable zoning permits 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: 1302 Wharton Wheems

Legal description where SCUP is being requested: 34.69 acres in Reserve "I" in Port Crossing Commerce Center

HCAD Parcel Number where SCUP is being requested: 1292170030001

Zoning District: Business Industrial (Future land use is LI) Lot area: approx. 34.69

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

Description of Request: We are requesting conditional approval for a tenant with a use of NAICS code of 424720. The tenant would lease approx. 450,000sf of our 600,360sf building at 1302 Wharton Wheems.

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: Hans Brindley

Company (if applicable): Liberty Property Trust

Address: 8827 N Sam Houston Pkwy

City: Houston State: tx Zip: 77064

Phone: 281-955-2000 Email: _____

AUTHORIZED AGENT (if other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): Hans Brindley Digitally signed by Hans Brindley Date: 2018.06.20 17:32:42 -05'00' Date: 6/20/18

STAFF USE ONLY:

Case Number: **18-9100009**

Date Application Received:



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: 1302 Wharton Wheems

LEGAL DESCRIPTION: Reserve "I" Port Crossing Commerce Center

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: 7/2/18.
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.


Applicant's Signature

Hans Bendley
Applicant's Printed Name

Subscribed and sworn before me this 21 day of June, 2018, by

Hans Bendley (Print Applicant's Name).



Leslie Nordstrom
Notary Public

My commission expires: May 12, 2019

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



July 19, 2018

AGENDA ITEM 19

Discussion Items

- a. Chapter 106 Subcommittee Recommendations
- b. Texas APA Conference - Galveston
- c. Roberts Rules of Orders Seminar

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