



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, August 16, 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. July 19, 2018 Meeting
- 4. REPLAT:** Open Public Hearing to receive input on an application for approval of a Replat for Crenshaw Real Properties; an 11.416 acre commercial tract located on Barbours Cut Blvd. between N. 8th St. and N 6th St.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or question)
 - d. Question and Answer
- 5. ADJOURN PUBLIC HEARING**
- 6. CONSIDERATION:** Consider approval of Crenshaw Real Properties Replat.
- 7. REPLAT:** Open Public Hearing to receive input on an approval of a Replat for the Port Crossing Partial Replat of Reserve "L", Block 2; a 6.944 commercial tract located on the west side of SH 146, south of W. M St. ROW.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or question)
 - d. Question and Answer
- 8. ADJOURN PUBLIC HEARING**
- 9. CONSIDERATION:** Consider approval of Port Crossing Partial Replat of Reserve "L", Block 2.
- 10. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Zone Change #18-92000008, a request by Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC, owner; for approval of a zone change from Mid Density Residential (R-2) to General Commercial (GC), on a 6.92 acre tract of land, legally described as Reserve A, Block 1 Dawson Subdivision.

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

11. ADJOURN PUBLIC HEARING

12. CONSIDERATION: Consider recommendation to City Council on Zone Change#18-92000008

13. 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 6.92 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1 Dawson Subdivision, from “Mid-High Density Residential” to “Commercial”.

14. PUBLIC HEARING: Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #18-91000010, a request by Nilvarni LP, applicant/owner; to allow for a Hotel/Motel Use, to locate on a 2.28 acre tract of land legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision.

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

15. ADJOURN PUBLIC HEARING

16. CONSIDERATION: Consider recommendation to City Council on SCUP #18-91000010

17. PUBLIC HEARING: Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #18-91000011, a request by Michael Gartner, applicant; on behalf of Sailesh & Paresh Gandhi, owner; to allow for a Hotel/Motel Use, to locate on a 2.39 acre tract of land legally described as Reserve A, Block 1, Home Porte.

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

18. ADJOURN PUBLIC HEARING

19. CONSIDERATION: Consider recommendation to City Council on SCUP #18-91000011

20. PUBLIC HEARING: Open Public Hearing to receive input on an ordinance amending Chapter 106 “Zoning” of the Code of Ordinances of the City of La Porte, based on the annual review conducted by the Planning and Zoning Commission.

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

21. ADJOURN PUBLIC HEARING

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

23. ADMINISTRATIVE REPORTS

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

25. 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, August 16, 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**



August 16, 2018

AGENDA ITEM 3

Consider approval of the Meeting Minutes:

a. July 19, 2018

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

**Planning and Zoning Commission
Minutes of July 19th, 2018**

Commissioners Present: Nick Barrera, Mark Follis, Wyatt Smith, Trey Kendrick, Richard Warren, Helen LaCour, Lou Ann Martin, and Chairman Hal Lawler

Commissioners Absent: Christina Tschappat

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,

CALL TO ORDER.

Chairman Hal Lawler called the meeting to order at 6:03 p.m.

ROLL CALL OF MEMBERS.

Commissioner Tschappat was absent for the meeting

CONSIDER APPROVAL OF THE MEETING MINUTES:

a. June 21st, 2018 Meeting

Motion by Commissioner Kendrick to approve the meeting minutes of June 21st, 2018.
Second by Commissioner Barrera. **Motion to approve carried.**

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

Nays: None **Motion to approve Passes Unanimously**

Public Hearing (6:04pm): 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.

Staff Report: Mr. Ian Clowes, City Planner, Presented staff's report on a request by Mr. Charles Anders, for a zoning 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. Mr.

Clowes presented staff's report and noted support from staff for the expansion of residential area in the City of La Porte.

Applicant Presentation (6:07pm): Charles Anders: 2346 Ferrier's Bend, Friendswood Texas

Public Comments (for, against, question) (6:12pm):

Philip Hoot, **in opposition**, 415 Barbours Cut, La Porte Texas

Paul Larson, **in opposition**, 200 N 4th St, La Porte Texas

Question and Answer (6:19pm): Commissioner Follis asks staff for clarification in regards to utilities on the property in question. City Planner, Mr. Clowes, indicated that there were indeed utility were available in the area.

Motion by Commissioner Warren to Deny the Zone Change request, 18-9200006 **Second** by Commissioner Martin **Motion to deny Zone Change 18-9200006 carried.**

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

Nays: None **Motion to deny Zone Change 18-9200006 Passes Unanimously**

Public Hearing (6:25pm): 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.

Staff Presentation (6:26pm): Mr. Ian Clowes, City Planner, presented staff's report on a request by Steve Adkisson, on behalf of Carrington F. Weems; 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. Mr. Clowes presented staff's recommendation of approval of the zone change for the property to the commission.

Applicant Presentation (6:30pm): Richard Frye, Adkisson Group

Public Comments (for, against, or question) (6:32pm): N/A

Question and Answer (6:33pm): Commission members Follis and Smith ask staff for clarification as to the impact of potentially passing this zone change to the Future Land Use Map. Specifically, the restriction of adding a SCUP requirement for any use to inhabit the area and how it may adversely affect the owner of the property, especially if the applicant were to back out of the deal. Staff had reassured Commissioner Follis that the owner of the property had signed the Zone Change application and designated Steve Adkisson to act as a representation agent, and was fully aware of the potential consequences of approval of the Zone Change. The prominent concern for Commissioner Follis was the owner having a smaller market to sell the property to if Steve Adkisson were to back out of the deal.

Motion by Commissioner Follis to deny the Zone Change #18-92000007

Second by Commissioner Smith **Motion to deny Carried**

Ayes: Commissioners Follis, Martin, and Smith

Nays: Commissioners Warren, Barrera, Kendrick, LaCour, and Chairman Lawler.

Motion to deny fails

Motion by Commissioner Barrera for approval of the Zone Change #18-92000007.

Second by Commissioner Warren **Motion to approve carried**

Ayes: Commissioners Barrera, Kendrick, Warren, La Cour and Chairman Lawler

Nays: Commissioners Follis, Smith, Martin **Motion to approve passes 5-3**

Future Land Use Map Amendment (6:52pm): 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.”

Motion by Commissioner Kendrick to table FLUP Amendment to the coincide with the SCUP application required of a use petitioning to inhabit the recommended PUD zoning district

Second by Commissioner LaCour **Motion to table carried**

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

Nays: None

Motion to table passes unanimously

Public Hearing (6:58pm): Open public hearing to receive input on an application for a 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.

Staff Presentation (6:58pm): Mr. Ian Clowes, City Planner, presented staff's report on a request of a Special Conditional Use Permit (SCUP) to allow for a skilled nursing facility on a 6.95 acre tract of land legally described as Tracts 718B, 719, and 719A, La Porte Outlots (Corner of Underwood Rd and Caniff). Mr. Ian Clowes, representing staff, recommended approval of the SCUP.

Applicant Presentation (7:03pm): Kathryn Edwards of BGE Kerry R. Gilbert & Associates presented to the commission and to the general public a detailed plan for a skilled nursing facility to be constructed.

Public Comments (7:03pm):

Bob Wagstaff, 9614 Rustic Gate (Summer Winds HOA member), **In favor of**
Mike Cobb 109 Summer Winds Dr, **In favor of**

Question and Answer (7:09pm):

ADJOURN PUBLIC HEARING

Chairman Lawler closed the public hearing at 7:10pm

Motion by Commissioner Kendrick to recommend approval of the SCUP to City Council

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

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

Nays: None

Motion Passes Unanimously

General Plan: Consider approval or other action regarding 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.

Motion to approve the General Plan of the skilled nursing facility on the corner of Underwood Caniff by Commissioner Kendrick **Second** Commissioner LaCour

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

Nays: None

Motion Passes Unanimously

Public Hearing (7:13pm): 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.

Staff Presentation (7:14pm): Mr. Ian Clowes, City Planner, presented staff's report on a request of a Special Conditional Use Permit (SCUP) 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. Mr. Clowes voiced support for the project from staff and recommended approval of the SCUP by the Commission to be forwarded to Council.

Applicant Presentation (7:20pm):

Hans Brindley of Liberty Property Trust & Jerry Prosis of Valvoline

Public Comments (7:32pm): Peggy Antune 2515 Crescent Dr, La Porte **Against**

Question and Answer (7:34pm): Commissioner Smith asks for clarification in regards to the assigned NAICS number. Then specifics regarding the governing SCUP for Port Crossing. Staff informed Commissioner Smith that the assigned NAICS number was the most transparent and stringent for the use that would be inhabiting the area. Staff also explained that the governing SCUP is coupled with each individual SCUP approval.

ADJOURN PUBLIC HEARING

Chairman Lawler closed the public hearing at 7:42pm

Motion by Commissioner Kendrick for approval of SCUP #18-91000009.

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

Ayes: Commissioner Barrera, Smith, Kendrick, Warren, Follis, LaCour, and Chairman Lawler
Nays: Commissioner Martin **Motion Passes 7-1**

Discussion Items (7:43):

- Mr. Ian Clowes introduced to the commission Chapter 106 subcommittee recommendations to be put on the next agenda as a public hearing
- Mr. Ian Clowes encouraged members of the commission, especially newer members, to attend the Texas APA Conference in Galveston in the coming months
- Mr. Ian Clowes gave a final reminder/encouragement to commission members to attend the Robert's Rules of Orders Seminar on July 16th, 2018

Administrative Reports: N/A

Commission Comments (7:47pm)

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

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

Nays: None **Passes Unanimously**

Chairman Lawler adjourned the meeting at 7:50 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**



August 16, 2018

AGENDA ITEMS 4-6

Consider approval of a Replat for the Crenshaw Real Properties; an 11.416 acre commercial tract located on Barbours Cut Blvd. between N. 8th St. and N 6th St.

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

Planning and Development Department Staff Report

DISCUSSION

Applicant's Request:

The applicant, J. Morales Inc., is requesting approval of a Replat for Crenshaw Real Properties subdivision. The attached exhibit is the proposed replat. The 11.416 acre tract of land is currently occupied by industrial uses and is located along Barbours Cut Blvd.

Background Information:

The site is currently zoned LI. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	PUD, Planned Unit Development	Container Storage
South	BI, Business Industrial	Industrial Buildings
West	BI, Business Industrial	Truck Stop
East	LI, Light Industrial	Industrial Buildings

RECOMMENDATION

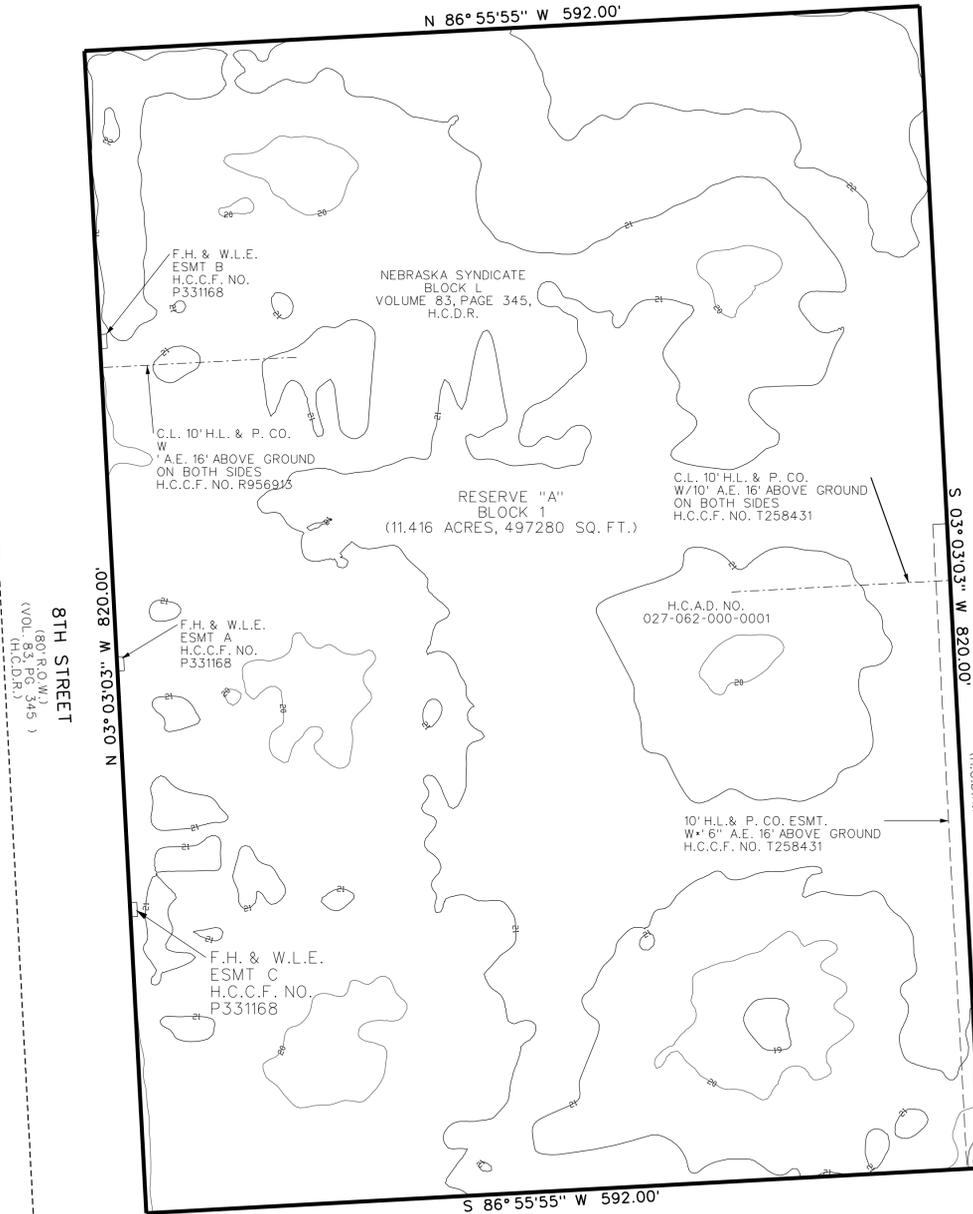
Staff recommends the Planning and Zoning Commission approve the Replat of Crenshaw Real Properties with the condition that any and all outstanding staff comments be addressed prior to recordation of the plat.

ATTACHMENTS

- Exhibit A: Crenshaw Real Properties Replat
- Exhibit C: Application

H STREET
(UNIMPROVED) (80' R.O.W.)
(VOL. 83, PG. 345 H.C.D.R.)

N 86° 55' 55" W 592.00'



8TH STREET
(80' R.O.W.)
(VOL. 83, PG. 345)
(H.C.D.R.)

820.00' W
S 03° 03' 03" W 820.00'

N 6TH STREET
(UNIMPROVED) (80' R.O.W.)
(VOL. 83, PG. 345)
(H.C.D.R.)

N 5TH STREET
(100' R.O.W.)
(VOL. 83, PG. 345)
(H.C.D.R.)

W. BARBOURS CUT BLVD.
(UNIMPROVED) (100' R.O.W.)
(VOL. 83, PG. 345)
(H.C.D.R.)

P.O.B.
N 13 813 807.1240
E 3 230 238.4961

S 65° 56' 30" W - 4,290.62'

STATE OF TEXAS
COUNTY OF HARRIS

I, WILL CRENSHAW, PRESIDENT OF CRENSHAW REAL PROPERTIES HERINAFTER REFERRED TO AS OWNER OF THE 11.416 ACRE TRACT DESCRIBED IN THE ABOVE FOREGOING MAP OF CRENSHAW REAL PROPERTIES LLC-BARBOURS CUT SECTION 1 DO HEREBY MAKE AND ESTABLISH SUCH SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE OF THE LAND SO DEDICATED.

FURTHER, OWNER HAS DEDICATED, AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING ALL PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENTS TOTALS THIRTY FEET (30'0") IN WIDTH.

FURTHER, OWNER DOES HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNER DOES HEREBY COVENANT AND AGREE THAT THOSE STREETS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SPECIFICALLY NOTED AS PRIVATE STREETS, SHALL BE HEREBY ESTABLISHED AND MAINTAINED AS PRIVATE STREETS BY THE OWNERS, HEIRS, SUCCESSORS AND ASSIGNS TO PROPERTY LOCATED WITHIN THE BOUNDARIES OF THIS PLAT AND ALWAYS AVAILABLE FOR THE GENERAL USE OF SAID OWNERS AND TO THE PUBLIC FOR FIREMEN, FIREFIGHTING EQUIPMENT, POLICE AND OTHER EMERGENCY VEHICLES OF WHATEVER NATURE AT ALL TIMES AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DESIGNATED AND ESTABLISHED AS PRIVATE STREETS.

FURTHER, OWNER DOES HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS IN THE PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF RESIDENTIAL BUILDINGS THEREON AND SHALL BE RESTRICTED FOR THE SAME UNDER TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

WITNESS OUR HAND IN THE CITY OF LA PORTE, HARRIS COUNTY, TEXAS, THIS ____ DAY OF _____, 2018.

WILL CRENSHAW
PRESIDENT
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED, WILL CRENSHAW, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY SEAL OF OFFICE THIS THE ____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR
STATE OF TEXAS

THIS IS TO CERTIFY THAT THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF CRENSHAW REAL PROPERTIES LLC-BARBOURS CUT IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF LA PORTE AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 2018.

BY: _____
Director, Planning Department

ATTEST: _____
La Porte City Engineer

BY: _____
Chairman, La Porte Planning and Zoning Commission

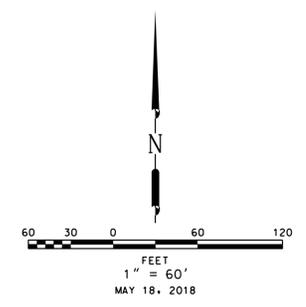
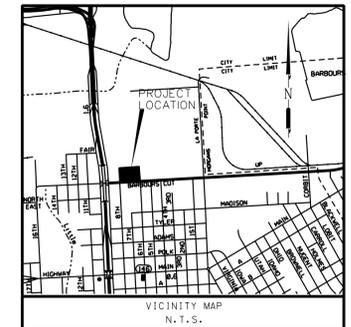
ATTEST: _____
Secretary, La Porte Planning and Zoning Commission

BY: _____
La Porte City Planner

LEGEND

R.O.W.	RIGHT-OF-WAY
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
A.E.	AERIAL EASEMENT
D.E.	DRAINAGE EASEMENT
P.A.E.	PRIVATE ACCESS EASEMENT
P.U.E.	PRIVATE UTILITY EASEMENT
FND.	FOUND
I.R.	IRON ROD
FNC.	FENCE
WD.	WOOD
C.L.F.	CHAIN LINK FENCE
CONC.	CONCRETE
S/W	SIDEWALK

0.5' OFF PROPERTY
0.5' ON PROPERTY



- NOTES:
- UNLESS OTHERWISE INDICATED, THE BUILDING LINES (B.L.) WHETHER ONE OR MORE, SHOWN ON THIS PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISION OF CHAPTER 106, CODE OF ORDINANCES, CITY OF LA PORTE, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
 - SUBJECT TRACT IS ZONED FOR LIGHT INDUSTRIAL AND TYPE OF USES PERMITTED FOR THIS ZONING DISTRICT.
 - FLOOD ZONE DETERMINATIONS SHOWN HEREON ARE BASED ON FEMA FIRM MAP NO. 485487C 09ASM DATED JANUARY 06, 2017, AND ARE APPROXIMATE LOCATIONS ONLY. SUBJECT TRACT IS LOCATED IN ZONE "X" (UNSHADED). BEFORE ANY CONSTRUCTION OR DEVELOPMENT PLANS ARE PREPARED A CURRENT TOPOGRAPHIC SURVEY SHOULD BE COMPLETE.
 - NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR THE CONSTRUCTION PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF LA PORTE, TEXAS FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS REQUIRED BY THE CITY'S CODE OF ORDINANCES, IS SUBMITTED TO AND APPROVED BY THE CITY.
 - DRIVEWAY LOCATION FOR THE LOT ON THE INSIDE OF A KNUCKLE OR 90-DEGREE TURN, DRIVEWAY MUST BE PLACED ON THE LOT FRONTAGE ALONG THE INSIDE APPROACH LANE PRIOR TO THE RIGHT TURN, TO AVOID SIGHT OBSTRUCTION SAFETY HAZARD.
 - ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY.
 - ALL PUBLIC RIGHTS-OF-WAY AND EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTS, AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY.

I, DAVID C. NEWELL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS WITH A CAP HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET AND IS TIED TO THE NEAREST STREET INTERSECTION AND STATE PLANE COORDINATE SYSTEM.



DAVID C. NEWELL
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4085

CITY OF LA PORTE BENCHMARK # 48
MARKER K12-01
N 13,812.057.99
E 3,234.156.4
SOUTH CENTRAL ZONE 4202, NAD 83.

I, STAN STANART, CLERK OF THE COUNTY COURT OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2018, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 2018, AT _____ O'CLOCK _____ M. AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

STAN STANART
COUNTY CLERK OF HARRIS
COUNTY, TEXAS

BY: _____
DEPUTY

REASON FOR REPLAT IS TO COMBINE LOTS INTO ONE COMMERCIAL RESERVES

PLAT
CRENSHAW REAL PROPERTIES LLC-
BARBOURS CUT SECTION 1
OF
A SUBDIVISION OF 11.416 ACRES OF LAND
IN THE
JOHNSON HUNTER SURVEY, ABSTRACT NO. 35
HARRIS COUNTY, TEXAS
1 RESERVE



3425 Federal Street
Houston, Texas 77504
(O) 713.947.6606
jmoralesinc.com
T.B.A.E. FIRM NO. BR2942
T.B.P.E. FIRM NO. F-004636
T.B.L.S. FIRM NO. 10039400

PROJECT #: 17665 28-18 SECTION 1

Planning & Development Department
SUBDIVISION PLAT APPLICATION
(5 or More Lots)

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER NAME: Crenshaw Real Properties PHONE 1: 281-224-8458
PHONE 2: 281-808-7919 FAX #: _____
E-MAIL: westergren.e730@yahoo.com
MAILING ADDRESS: 534 Amalfi Drive, Kemah, Texas 77565-1656

2. AGENT/CONTRACTOR REPRESENTING PROPERTY OWNER:

AGENT/CONTRACTOR NAME: J. Morales Inc. PHONE 1: 713-947-6606
PHONE 2: _____ FAX #: 713-947-6609
E-MAIL: j.gutierrez@jmoralesinc.com
MAILING ADDRESS: 3425 Federal Road, Pasadena, Texas 77504

3. PROPERTY DESCRIPTION:

PARCEL NO(s) (13-digit HCAD Tax ID #): please see attached
SUBJECT PROPERTY ADDRESS (If existing): please see attached
SUBJECT PROPERTY LEGAL DESCRIPTION please see attached

4. INFORMATION SPECIFIC TO APPLICATION:

TYPE OF PLAT: GENERAL PRELIMINARY FINAL
PROPOSED NAME: CRENSHAW REAL PROPERTIES LLC-BARBOURS CUT # SECTIONS: 2 # LOTS: 1
AUTHORIZED SIGNATURE: _____ DATE: 5-18-2018

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLANS
- SUBMIT CORRECT APPLICATION FEE (Refer to Application Fee Schedule for applicable fees)

(STAFF USE ONLY):

DATE RECEIVED: _____ RECEIVED BY: _____
PROJECT NUMBER: _____ - _____
SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: _____

CRENSHAW REAL PROPERTIES

ORDER NUMBER: 17665

PO NUMBER:28-18

<u>Account Number</u>	<u>Legal Description</u>	<u>Property Address</u>
1. 0270620000003	PT BLK6 NEBRASKA SYNDICATE	820 w. Barbours Cut Blvd., La Porte, TX 77571
2. 0270640000001	TR1 BLK 8 E1/2 OF BLK 8 NEBRASKA SYNDICATE	312 Barbours Cut, La Porte, TX 77571
3. 0270640000002	TR A BLK 8 NEBRASKA SYNDICATE	0 W. Barbours Cut Blvd., La Porte TX 77571
4. 0270640000003	TR C BLK 8 N1/2 OF W/1/2 OF BLK 8 NEBRASKA SYNDICATE	0 6 th Street, La Porte, TX 7751
5. 0270640000004	TR B BLK 8 NEBRASKA SYNDICATE	0 6 th Street, La Porte, TX 7751
6. 0270630010014	LTS 14, 15, & 16 BLK 7A NEBRASKA SYNDICATE	0 Barbours Cut Blvd., La Porte, TX 77571
7. 0270630010001	LTS 1 THRU 13 & 17 THRU 32 BLK 7A NEBRASKA SYNDICATE	0. W. Barbours Cut Blvd., La Porte, TX 77571
8. 0270630040001	LTS 1 THRU 6 BLK 7D NEBRASKA SYNDICATE	0 6 th Street, La Porte, TX 77571
9. 0270630030005	LTS5 THRU 14 17 18 & 20 THRU 32 BLK 7C NEBRASKA SYNDICATE	0 Barbours Cut Blvd, La Porte, TX 77571

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



August 16, 2018

AGENDA ITEMS 7-9

Consider approval of a Replat for the Port Crossing Partial Replat of Reserve "L", Block 2; a 6.944 commercial tract located on the west side of SH 146, south of W. M St. ROW.

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

Planning and Development Department Staff Report

DISCUSSION

Applicant's Request:

The applicant, Jana Gutierrez is requesting approval of a Replat for Port Crossing Reserve "L", Block 2 subdivision. The attached exhibit is the proposed replat. The 6.944 acre tract of land is currently undeveloped and is located south of the W. M St. ROW with frontage on the SH 146 feeder road.

Background Information:

The site is currently zoned PUD. The replat will subdivide the current tract into 3 separate parcels allowing for individual developments to occur. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	GC, General Commercial	Hampton Inn
South	PUD, Planned Unit Development	Port Crossing
West	PUD, Planned Unit Development	Port Crossing/Detention Facility
East	R-2, Mid Density Residential	Town Home Development (across 146)

RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the Port Crossing Partial Replat of Reserve "L", Block 2 with the condition that any and all outstanding staff comments be addressed prior to recordation of the plat.

ATTACHMENTS

- Exhibit A: Port Crossing Partial Replat of Reserve "L", Block 2
- Exhibit C: Application

RESERVE 1	1.980	ACRES
RESERVE 2	1.601	ACRES
RESERVE 3	3.363	ACRES
BOUNDARY	6.945	ACRES

CITY OF LA PORTE BENCHMARK • 48
 MARKER K12-01
 N 13,812,057.99
 E 3,234,156.4
 SOUTH CENTRAL ZONE 4202, NAD 83.

STATE OF TEXAS
 COUNTY OF HARRIS

I, KALPESH PATEL, OF LIBERTY PROPERTY LIMITED PARTNERSHIP, HERINAFTER REFERRED TO AS OWNER OF THE 6.945 ACRE TRACT DESCRIBED IN THE ABOVE FOREGOING MAP OF KSSGH LA PORTE DEVELOPMENT DO HEREBY MAKE AND ESTABLISH SUCH SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES OF HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE OF THE LAND SO DEDICATED.

FURTHER, OWNER HAS DEDICATED, AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED, AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING ALL PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENTS TOTALS THIRTY FEET (30'0") IN WIDTH.

FURTHER, OWNER DOES HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ABUTTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

FURTHER, OWNER DOES HEREBY COVENANT AND AGREE THAT THOSE STREETS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SPECIFICALLY NOTED AS PRIVATE STREETS, SHALL BE HEREBY ESTABLISHED AND MAINTAINED AS PRIVATE STREETS BY THE OWNERS, HEIRS, SUCCESSORS AND ASSIGNS TO PROPERTY LOCATED WITHIN THE BOUNDARIES OF THIS PLAT AND ALWAYS AVAILABLE FOR THE GENERAL USE OF SAID OWNERS AND TO THE PUBLIC FOR FIREMEN, FIREFIGHTING EQUIPMENT, POLICE AND OTHER EMERGENCY VEHICLES OF WHATEVER NATURE AT ALL TIMES AND DO HEREBY BIND MYSELF, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DESIGNATED AND ESTABLISHED AS PRIVATE STREETS.

FURTHER, OWNER DOES HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS IN THE PLAT ARE ORIGINALLY INTENDED FOR THE CONSTRUCTION OF RESIDENTIAL BUILDINGS THEREON AND SHALL BE RESTRICTED FOR THE SAME UNDER TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

WITNESS OUR HAND IN THE CITY OF LA PORTE, HARRIS COUNTY, TEXAS, THIS ____ DAY OF _____, 2018.

KALPESH PATEL
 PRESIDENT

STATE OF TEXAS
 COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED, KALPESH PATEL, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY SEAL OF OFFICE THIS THE ____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR
 STATE OF TEXAS

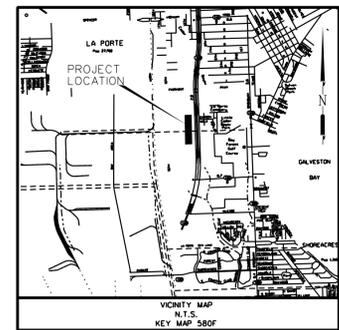
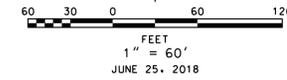
I, DAVID C. NEWELL, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES, OR RODS WITH A CAP HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET AND IS TIED TO THE NEAREST STREET INTERSECTION AND STATE PLANE COORDINATE SYSTEM.



DAVID C. NEWELL
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 4085

LEGEND

- R.O.W. RIGHT-OF-WAY
- B.L. BUILDING LINE
- U.E. UTILITY EASEMENT
- A.E. AERIAL EASEMENT
- D.E. DRAINAGE EASEMENT
- P.A.E. PRIVATE ACCESS EASEMENT
- P.U.E. PRIVATE UTILITY EASEMENT
- FND. FOUND
- I.R. IRON ROD
- FNC. FENCE
- WD. WOOD
- C.L.F. CHAIN LINK FENCE
- CONC. CONCRETE
- S/W SIDEWALK



THIS IS TO CERTIFY THAT THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF PORT CROSSING PARTIAL REPLAT OF RESERVE "L", BLOCK 2 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF LA PORTE AND AUTHORIZED THE RECORDING OF THIS PLAT THIS ____ DAY OF _____, 2018.

By: _____
 Director, Planning Department

ATTEST: _____
 La Porte City Engineer

By: _____
 Chairman, La Porte Planning and Zoning Commission

ATTEST: _____
 Secretary, La Porte Planning and Zoning Commission

By: _____
 La Porte City Planner

NOTES:

- THE LOCATION OF THE SUBJECT TRACT ON THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO.485487-0945-M, DATED JANUARY 06, 2017, LIES WITHIN (SHADED) ZONE "X", AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. THIS STATEMENT IS BASED ON SCALING THE LOCATION OF SAID SURVEY ON THE ABOVE REFERENCE MAP. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.
- BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 83.
- ALL EASEMENTS SHOWN ARE AS DESCRIBED IN A TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, UNDER G.F. NO. 17-440-TX, HAVING AN EFFECTIVE DATE OF FEBRUARY 12, 2017. NO FURTHER RESEARCH OF THE HARRIS COUNTY DEED RECORDS WAS PERFORMED BY J. MORALES, INC.
- SET BACK LINES FOR PAVING FOR PARKING AREAS, AS DISCLOSED BY DECLARATION OF PROTECTIVE COVENANTS AND EASEMENTS, HARRIS COUNTY CLERK'S FILE NO. 20070587011.
- TERMS, CONDITIONS, PROVISIONS AND EASEMENTS CONTAINED IN THE CERTAIN RAIL YARD EASEMENT AGREEMENT, HARRIS COUNTY CLERK'S FILE NO. 20070559982.

I, STAN STANART, CLERK OF THE COUNTY COURT OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2018, AT ____ O'CLOCK ____M., AND DULY RECORDED ON _____, 2018, AT ____ O'CLOCK ____M. AND AT FILM CODE NO. _____ OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

STAN STANART
 COUNTY CLERK OF HARRIS COUNTY, TEXAS

By: _____
 DEPUTY

REASON FOR REPLAT SUBDIVIDING RESERVE "L" INTO RESERVES 1, 2 & 3

PORT CROSSING PRATIAL REPLAT OF RESERVE "L", BLOCK 2

OF

A SUBDIVISION OF 6.944 ACRES OF LAND

RECORDED IN FILM CODE NO. 676291, HARRIS COUNTY, TEXAS.

3 RESERVES 1 BLOCK

JULY 2018

J. MORALES
 ARCHITECTS • ENGINEERS • SURVEYORS

3425 Federal Street
 Houston, Texas 77504
 (O) 713.947.6606
 jmoralessinc.com
 T.B.A.E. FIRM NO. BR2942
 T.B.P.E. FIRM NO. F-004636
 T.B.L.S. FIRM NO. 10039400

OWNER:
 KALPESH PATEL
 2320 GULF FREEWAY W.
 LEAGUE CITY, TEXAS 77573

Planning & Development Department
SUBDIVISION PLAT APPLICATION
(5 or More Lots)

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER NAME: _____ PHONE 1: _____

PHONE 2: _____ FAX #: _____

E-MAIL: _____

MAILING ADDRESS: _____

2. AGENT/CONTRACTOR REPRESENTING PROPERTY OWNER:

AGENT/CONTRACTOR NAME: _____ PHONE 1: _____

PHONE 2: _____ FAX #: _____

E-MAIL: _____

MAILING ADDRESS: _____

3. PROPERTY DESCRIPTION:

PARCEL NO(s) (13-digit HCAD Tax ID #): _____

SUBJECT PROPERTY ADDRESS (If existing): _____

SUBJECT PROPERTY LEGAL DESCRIPTION _____

4. INFORMATION SPECIFIC TO APPLICATION:

TYPE OF PLAT: GENERAL PRELIMINARY FINAL

PROPOSED NAME: _____ # SECTIONS: _____ # LOTS: _____

AUTHORIZED SIGNATURE: _____ DATE: _____

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLANS
- SUBMIT CORRECT APPLICATION FEE (Refer to Application Fee Schedule for applicable fees)

(STAFF USE ONLY):

DATE RECEIVED: _____ RECEIVED BY: _____

PROJECT NUMBER: _____ - _____

SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: _____

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



August 16, 2018

AGENDA ITEMS 10-12

Zone Change Request #18-92000008

A request by Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC, owner; for approval of a zone change from Mid Density Residential (R-2) to General Commercial (GC), on a 6.92 acre tract of land, legally described as Reserve A, Block 1 Dawson 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 Mid Density Residential (R-2) to the General Commercial (GC) zoning district; on approximately 6.92 acres of land, legally described as Reserve A, Block 1 Dawson Subdivision?

DISCUSSION

Location:

The subject site is located at the 3400 Block of Canada Rd.

Background Information:

The property is currently undeveloped. The applicant would like to develop the site for a possible used car dealership. In order to allow this, the site must be rezoned to General Commercial. The adjacent property to the north, the zoned R-2, is currently occupied by a commercial/light industrial use.

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-2, Mid Density Residential	Drainage Channel/Agcorp Heavy Equipment
South	GC, General Commercial/R-3, High Density Residential	Mariposa Senior Apartments
West	MH, Manufactured Housing	Pecan Park
East	R-2, Mid Density Residential	Drainage

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

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a

newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case notice was sent to all property owners and residents within the rezoning area; 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 commercial use to be constructed on this site would be consistent with the use pattern of the area.
2. *Access.* There is sufficient existing right-of-way access along Canada Rd.
3. *Utilities.* Water and sewer services are available along Canada Rd.

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 zone change would be consistent with adjacent properties. The proposed use of a car lot would not be ideal for this stretch of Canada Rd.
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 current zoning and uses along this section of Canada Rd. The proposed use would not be consistent.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Development of the proposed site for commercial uses would be permissible.
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 along Canada Rd. Total impact cannot be determined until development and will be based on the specific use.
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
August 16, 2018
Zone Change #18-92000008

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 along Canada Rd.

RECOMENDATION

Based on the above analysis, staff is unable to recommend approval to the Planning and Zoning Commission for the proposed zone change from Mid Density Residential (R-2) to General Commercial (GC).

ATTACHMENTS

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



AERIAL MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

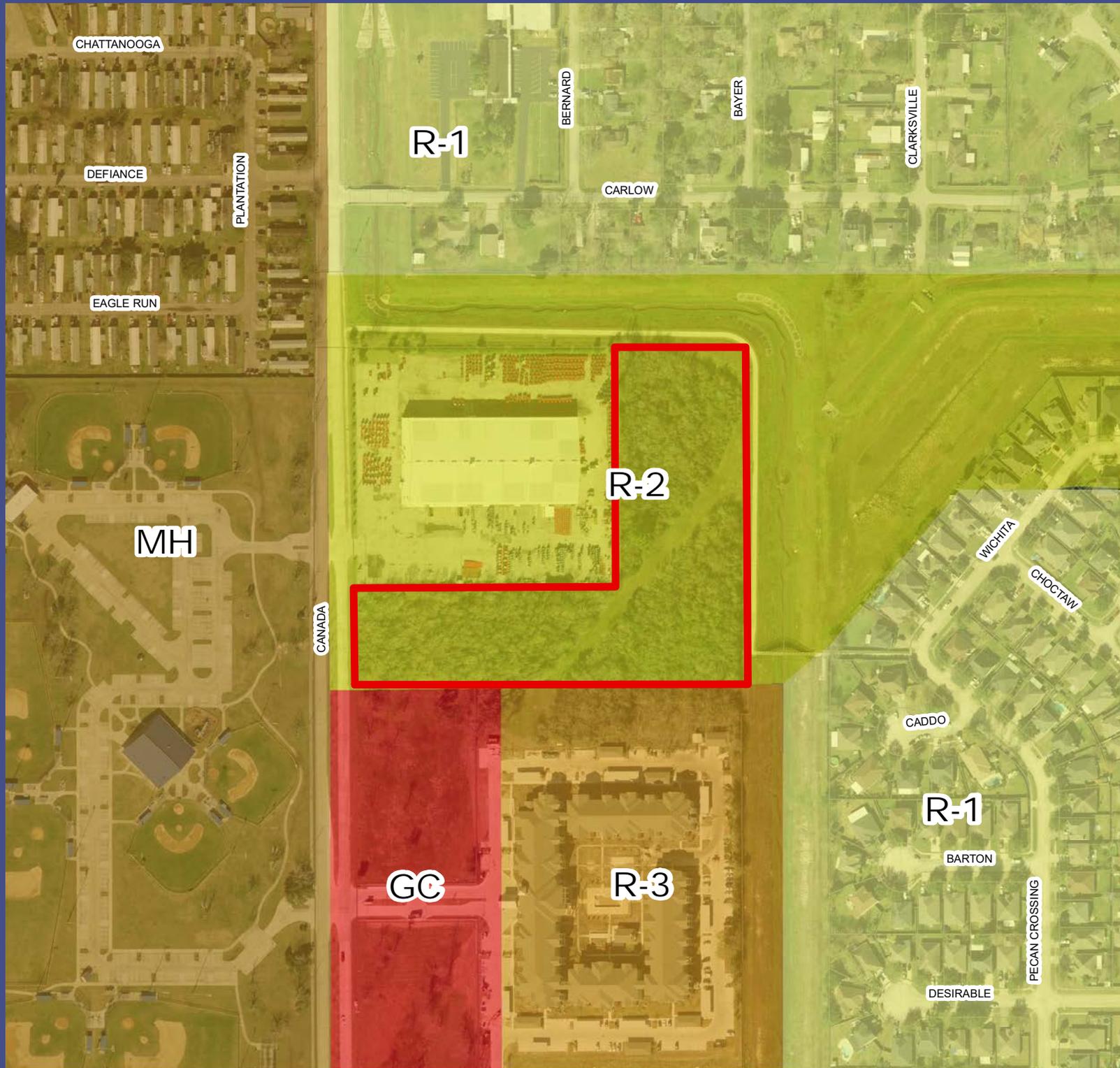


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet

AUGUST 2018
PLANNING DEPARTMENT





ZONING MAP

Zone Change
18-92000008

3400 Block
Canada Rd.

Legend

 Subject Parcel

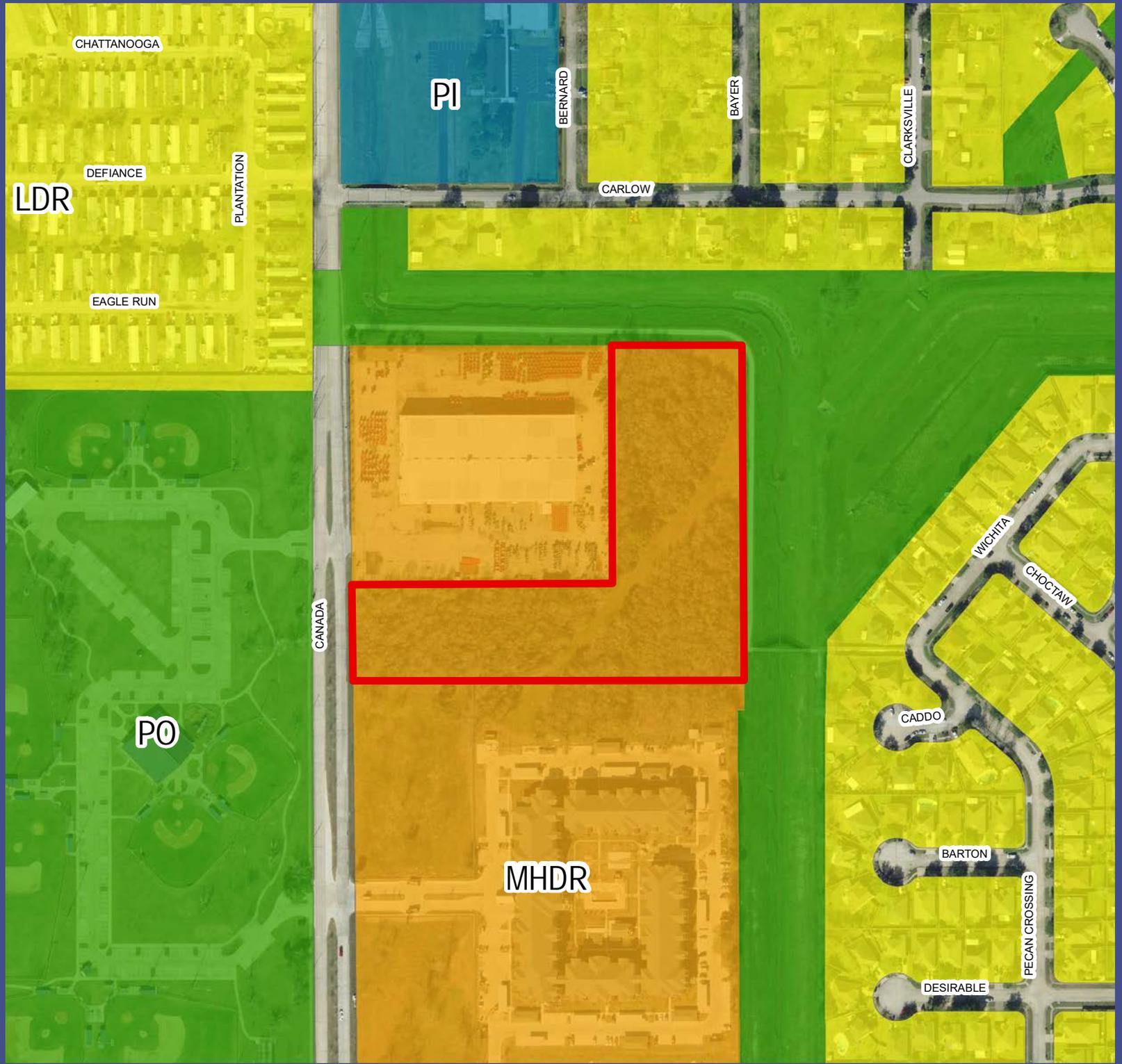


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

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 = 279 feet



**AUGUST 2018
PLANNING DEPARTMENT**



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 CANADA Road / 6.92 HCAD# 1299140010001
 Legal description where zone change is being requested: 1299140010001 TRS A BLK 1 Dawson 30147959
 HCAD Parcel Number where zone change is being requested: 1299140010001
 Zoning District: Commercial Lot area: 6.92

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

Description of Request: We would like to Request of Re-zoning From Residential to Commercial For Auto Sales

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: Michael Anderson
 Company (if applicable): Business Venture Group
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Michael Anderson
 Company (if applicable): Business Venture Group
 Address: 501 GULF Freeway
 City: Houston State: Tx Zip: 77023
 Phone: 281-235-3173 Email: M+8893@AOL.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: 7/13/18

Owner(s) Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number:
18 - 92000008

Date Application Received:
7/16/18



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 CANADA Road

LEGAL DESCRIPTION: RES A BLK 1 DAWSON 30147959

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: 8/5/2018.

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

Michael Anderson

Applicant's Printed Name

Subscribed and sworn before me this 13th day of July, 2018, by

Michael Anderson (Print Applicant's Name).

[Signature]

Notary Public



My commission expires: 7-7-2019

Business Venture Group Michael Anderson
501 Gulf freeway Houston Tx 77023
281-235-3173
mt8893@aol.com

July 13th 2018

City of Laporte
604 W. Fairmont Prky
Laporte Tx 77571

Dear City of Laporte,

We Humbly request the rezoning of property located on 0 Canada road .legal
description RES A BLK 1 DAWSON 301479 SQ From residential to commercial
in order to put an auto sales there. properties on both sides of this property are zoned for
commercial use. if I can be of further assistance please let me know

Sincerely,



Michael Anderson



BUSINESS VENTURE
PROFESSIONAL INDUSTRY
CARGOWAYS LLC

CITY OF LAPORTE

MANAGER • BVG • 604 W.FAIRMONT PKY • LAPORTE TX 77571

CONTACT

501 gulf freeway
Houston tx 77023
Mt8893@aol.com
281-235-3173

July 13th 2018

Dear city of laporte,

This is to certify that Texas cargoways llc is granting permission to business venture group to act on its behalf for the request of the rezoning from residential to commercial for said property located on o Canada rd or 62 acres or head #1299140010001 res A BLK 1DAWSON 301479sq.

Sincerely,
business venture group

Manager
Cargoways llc



EMAIL



TWITTER HANDLE



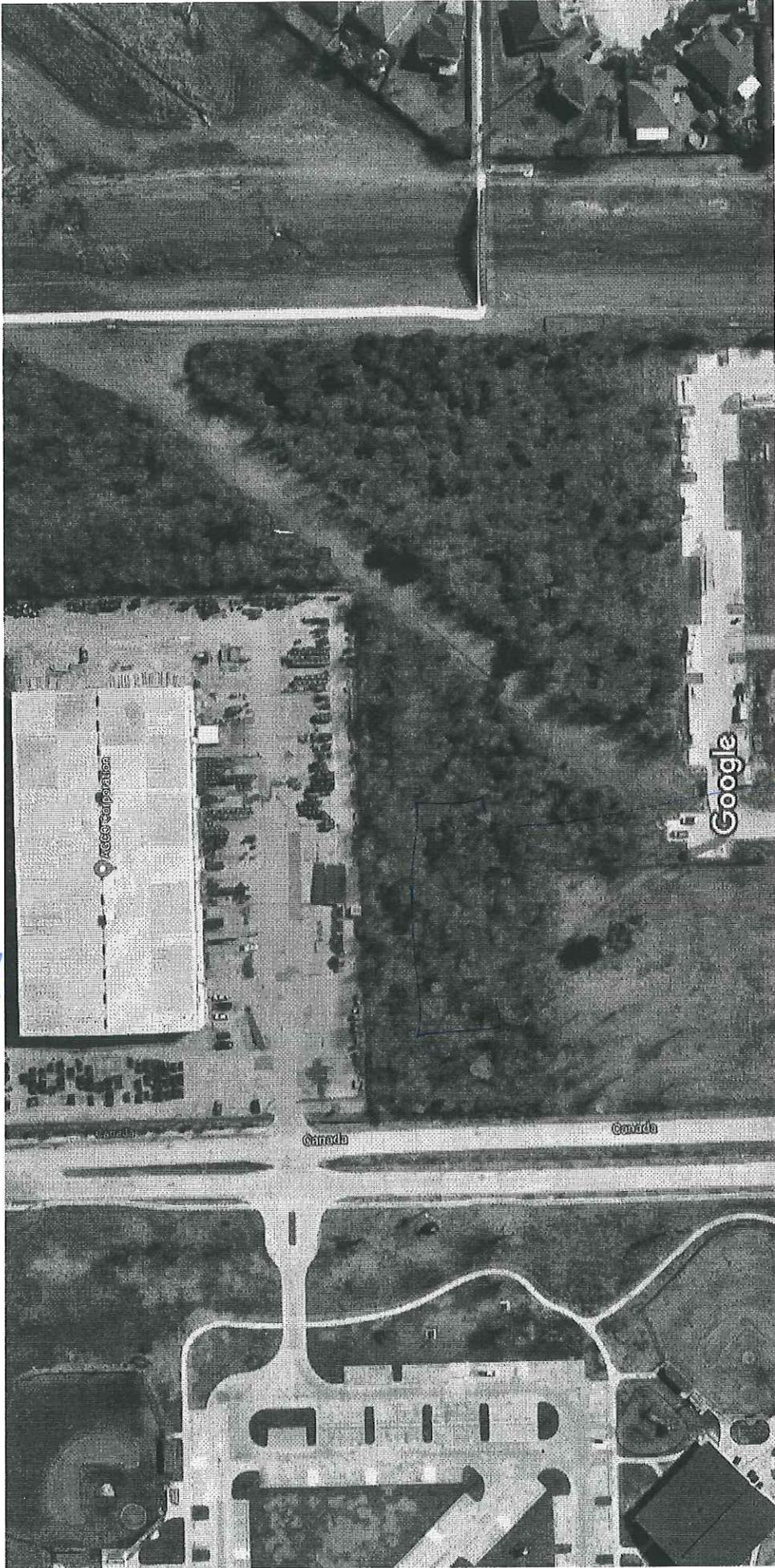
TELEPHONE



LINKEDIN URL

Google Maps

Completed



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Proposed Acty Seles

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X NO THANKS ✓ TURN ON

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



August 16, 2018

AGENDA ITEM 13

Future Land Use Map Amendment #18-92000008

A request by Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC, owner; for an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 6.92 acre tract of land legally described as Reserve A, Block 1 Dawson Subdivision, from "Mid-High Density Residential" to "Commercial" use.

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

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

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 6.92 acre tract of land from R-2 to GC. The site is currently undeveloped and is located at the 3400 Block of Canada Rd.

The city's Future Land Use Plan (FLUP) identifies this property as "Mid-High Density Residential" land use. In order to accommodate the proposed development, the FLUP would need to be amended to allow for "Commercial" use. The FLUP may be amended from time to time if approved by the City Council, upon recommendation by the Planning and Zoning Commission. The attached Exhibit A demonstrates the existing land use while Exhibit shows the proposed future land use plan.

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

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

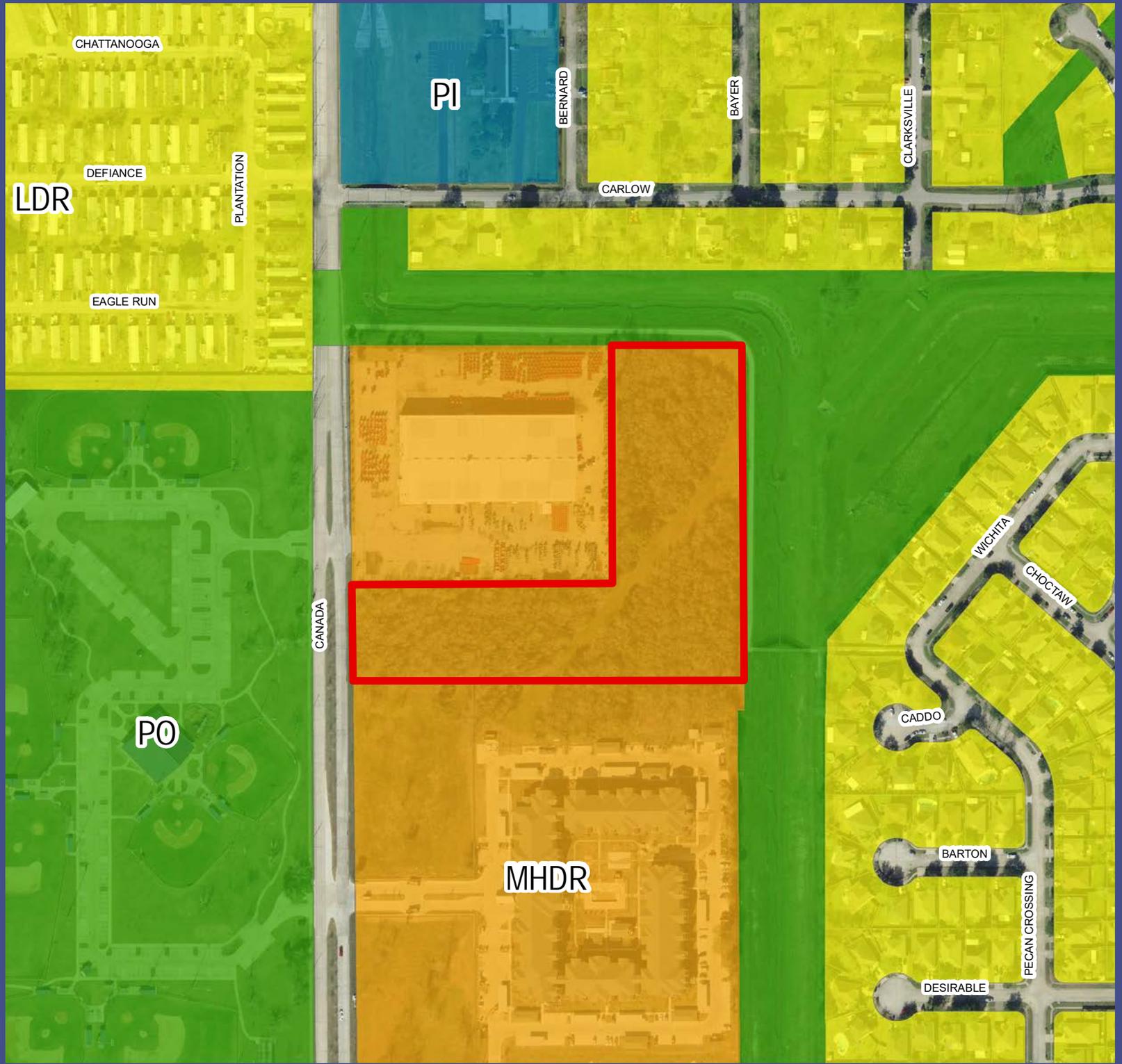
	Land Use	Development
North	Mid-High Density Residential	Drainage Channel/Agcorp Heavy Equipment
South	Mid-High Density Residential	Mariposa Apartments
West	Public	Pecan Park
East	Public	Drainage

RECOMMENDATION

Should the Planning and Zoning Commission desire to recommend approval for zone change 18-92000008, 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



FLUP MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

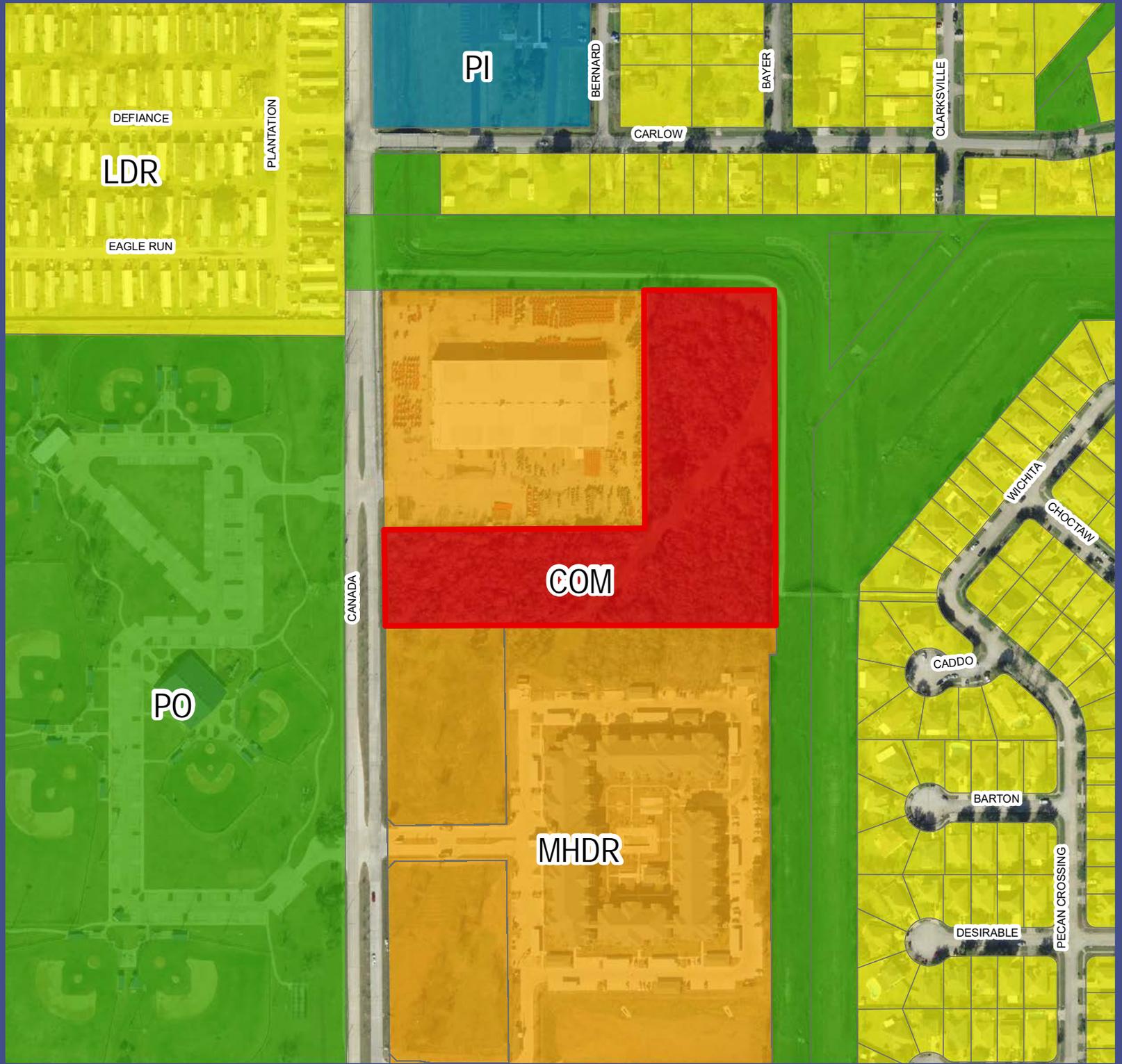


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1 inch = 279 feet



**AUGUST 2018
PLANNING DEPARTMENT**



PROPOSED FLUP MAP

SCUP
18-9100008

3400 Block
Canada Rd.

Legend

 Subject Parcel



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1 inch = 279 feet



AUGUST 2018
PLANNING DEPARTMENT

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



August 16, 2018

AGENDA ITEMS 14-16

Special Conditional Use Permit #18-91000010

A request by Nilvarni LP, applicant/owner; to allow for a Hotel/Motel Use, to locate on a 2.28 acre tract of land legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision

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

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission recommend approval of a SCUP to allow for a Hotel/Motel Use, to locate on a 2.28 acre tract of land legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision?

DISCUSSION

Location:

The subject site is located at 711 W. Fairmont Pkwy.

Background Information:

The property is currently partially occupied by a surface parking lot for the adjacent US Post Office and is zoned General Commercial (GC). The applicant is interested in removing the existing paving and redeveloping the site. Current plans call for a Holiday Inn Express and Suites hotel to occupy the entire 2.28 acres.

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	Commercial/Apartments
South	GC, General Commercial	Undeveloped/Single Family Home
West	GC, General Commercial	US Post Office
East	GC, General Commercial	Credit Union

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 hotel use is not an ideal use for this section of the city. The site is located within 1500 feet of at least 6 existing hotel/motel uses, and within 2200 feet of 10 existing or approved hotel/motels.
2. *Access.* There is sufficient existing right-of-way access along 7th and 8th St.
3. *Utilities.* Water services is available along Fairmont Pkwy. Sewer service is available along 6th St.

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 add to a glut of existing hotel/motel uses already operating in the immediate area and potential hurt the existing operations.
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 commercial uses.
Character of the surrounding and adjacent areas.	The proposed use would not be in conflict with other uses in the area. There are existing Hotels/Motels in the area but most are located along SH 146.
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 commercial uses due to its existing zoning and location along Fairmont Pkwy. However, the proposed hotel use would not fit in with the adjacent commercial uses.
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 road infrastructure.
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 use 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 use would not add to the public health, welfare, or safety of the city.
--	--

RECOMENDATION

Based on the above analysis, staff is unable to recommend approval of the proposed SCUP #18-91000010 to allow for a Hotel/Motel use in the GC 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
18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property

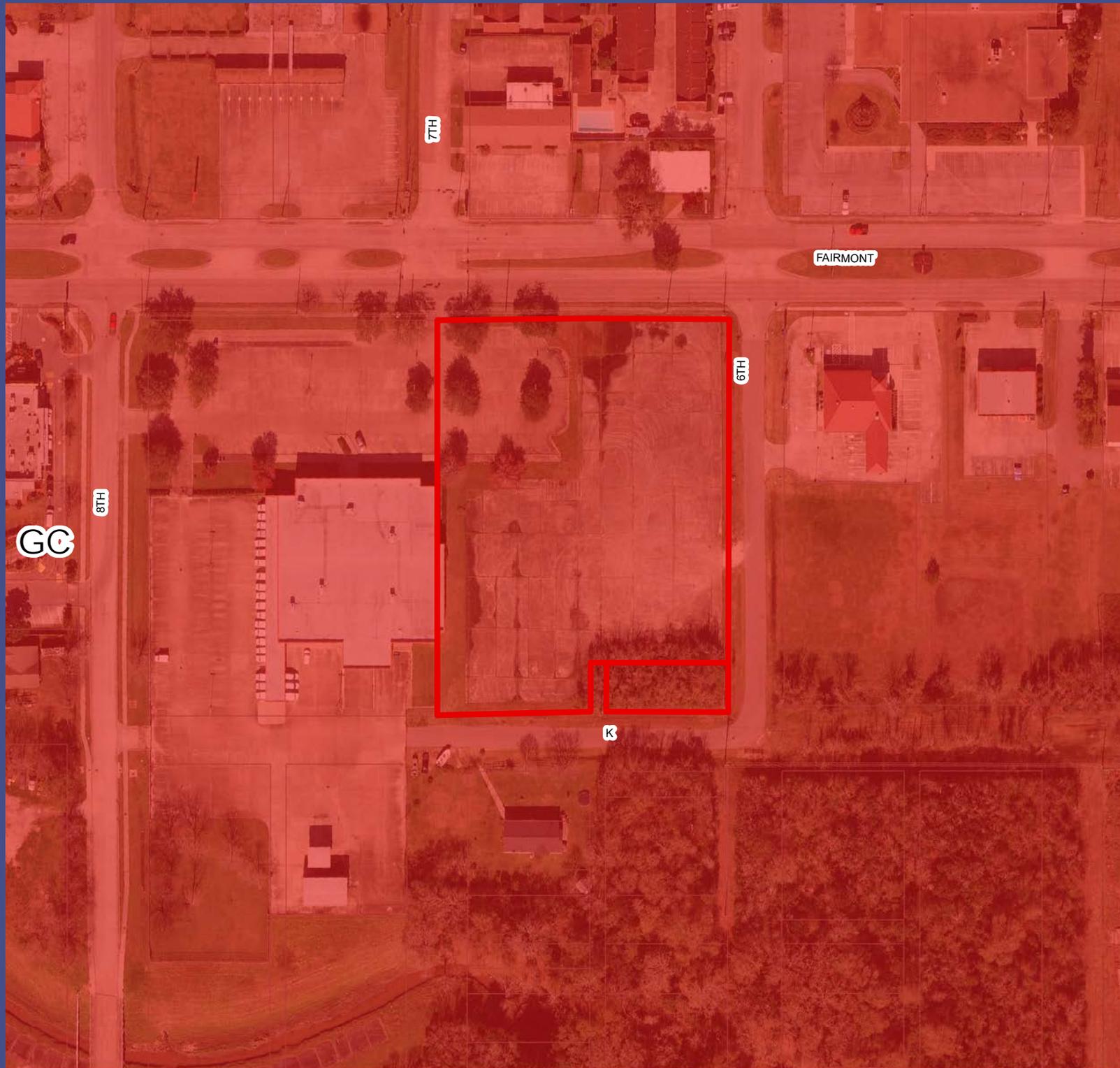


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1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT



ZONING MAP

SCUP
18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property

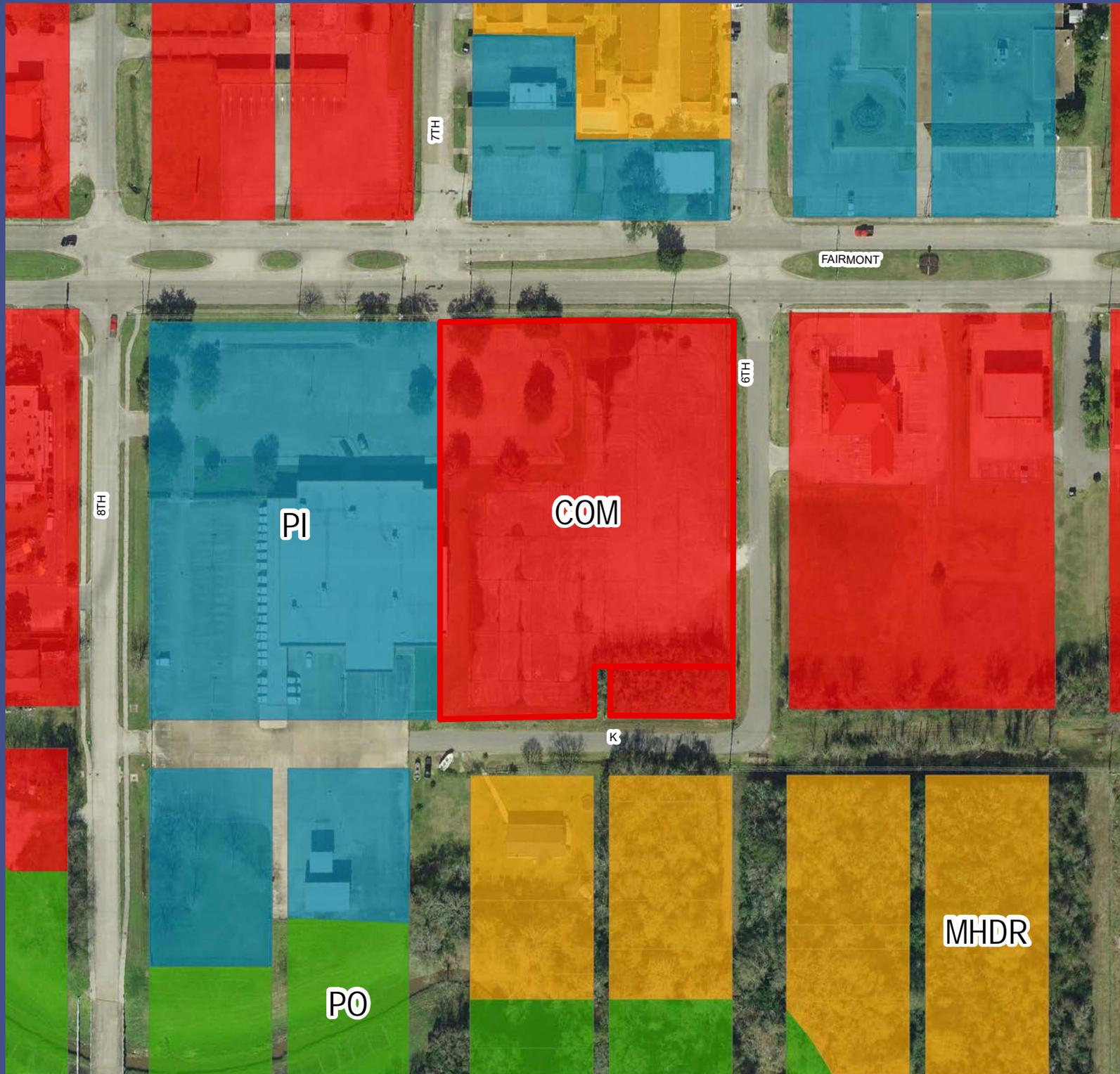


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1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

SCUP

18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property



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1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT

EXHIBIT D

**City of La Porte
Special Conditional Use Permit
#18-91000010**

This permit is issued to: Nilvarni LP
Owner or Agent

5750 Vista Rd. Pasadena, TX 77505
Address

For Development of: Fairmont Motel
Development Name

711 W. Fairmont Pkwy.
Address

Legal Description: Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision, Harris County, TX

Zoning: GC, General Commercial

Use: Hotel/Motel

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 Hotel/Motel.
3. The underlying zoning is GC. All GC 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: 711 WEST FAIRMONT PARKWAY
 Legal description where SCUP is being requested: LTS 1 thru 16 & 19 thru 32 BLK 1103 & E 30FT OF 7TH
 HCAD Parcel Number where SCUP is being requested: 024-185-003-0001 + 024-185-003-0017
 Zoning District: _____ Lot area: 99350 sq. ft
 A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.
 Description of Request: 100 UNIT HOLIDAY INN EXPRESS & SUITE HOTEL
SEE ATTACHED DOCUMENT FOR ADDITIONAL DETAILS

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: NIL VARMI LP OWNED BY DIMPLE PATEL AND PARTNERS
 Company (if applicable): _____
 Address: 5450 VISTA ROAD
 City: PASADENA State: TX Zip: 77505
 Phone: 713-530-8993 Email: txdimple@gmail.com

AUTHORIZED AGENT (if other than owner)

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

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: [Signature] Date: 7-11-18
 Owner(s)' Signature(s): [Signature] Date: 7-11-18

STAFF USE ONLY:

Case Number:
18-91000010

Date Application Received:
7-11-18



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: 711 WEST FAIRMONT PARKWAY LA PORTE TX 77571
 LEGAL DESCRIPTION: LTS 1 thru 16 d19 thru 32 BLK 1103 & E 30FT of 7th AND ADJ 16 FT ALLEY

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: 7-11-18.
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

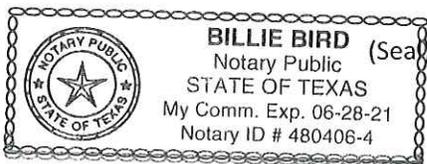
DIMPLE PATEL

Applicant's Printed Name

Subscribed and sworn before me this 11th day of July, 2018 by

DIMPLE PATEL (Print Applicant's Name).

Notary Public



My commission expires: 6/28/21

July 11, 2018

Dimple Patel
Nil Varni LP
5450 Vista Road
Pasadena, TX 77505
713-530-8993

Property Located: 711 West Fairmont Parkway

LTS 1 THRU 16 & 19 THRU 32
BLK 1103 & E 30 FT OF 7TH ST
& ADJ 16 FT ALLEY
LA PORTE

Request: We are requesting approval of a Special Conditional Use Permit (SCUP) located at 711 West Fairmont Parkway to build a 100 unit Holiday Inn Express and Suites.

Background: We have been in the hotel industry since 1979. We joined the City of La Porte in 1993 when we developed the Best Western at 705 HWY 146 S. Later we developed the Holiday Inn Express & Suites at 908 West G Street in 2005.

History: We purchased this track of land at 711 West Fairmont Parkway in 2008 with the intention of building a new hotel at the market appropriate time. When we purchased the land in 2008 there was not a requirement for a SCUP.

Hotel Operations: As a developer and operator in La Porte we strive for providing great service and excellent accommodations. We continue to achieve high levels of guest reviews at our hotel. We also employ 15 full-time and part-time employees mostly residences of La Porte.

Economic Impact: After being the second hotel in La Porte we have helped pave the way for tremendous economic growth with the addition of new hotels. As an operator we help keep the level of service high and help to maintain high standards of our hotels and our competition.

Tax Revenue: Over the past 13 years our existing Holiday Inn Express has generated over \$20million in revenue with about \$1,400,000 in City tax revenue along with about \$2million in County and State tax revenue. There is also the addition of property tax paid over the last 13 years with the hotel value averaging \$3.7million per year (about \$50million over 13 years). We have paid all taxes on time and we never had any delinquent taxes, late utility payments, or other violations.

Franchise History: We operate 3 Holiday Inn Express hotels in this area; Deer Park, Pasadena, & La Porte. We have been trusted by this franchise to operate in this area because of our commitment to the brand and dedication to serving the tri-city area. The franchise believes this is the right time to begin development for a new property with a larger room count to service this market. They have given us a timeline to develop this project and open this business by January 2020.

Location and Neighbors: When we purchased this land in 2008 we considered the location as being ideal for a hotel. It is on the main corridor of the City. It is adjacent to the Post Office. Near highway 146 but not too close that the guests would be impacted from highway noise of large trucks. Near many local business.

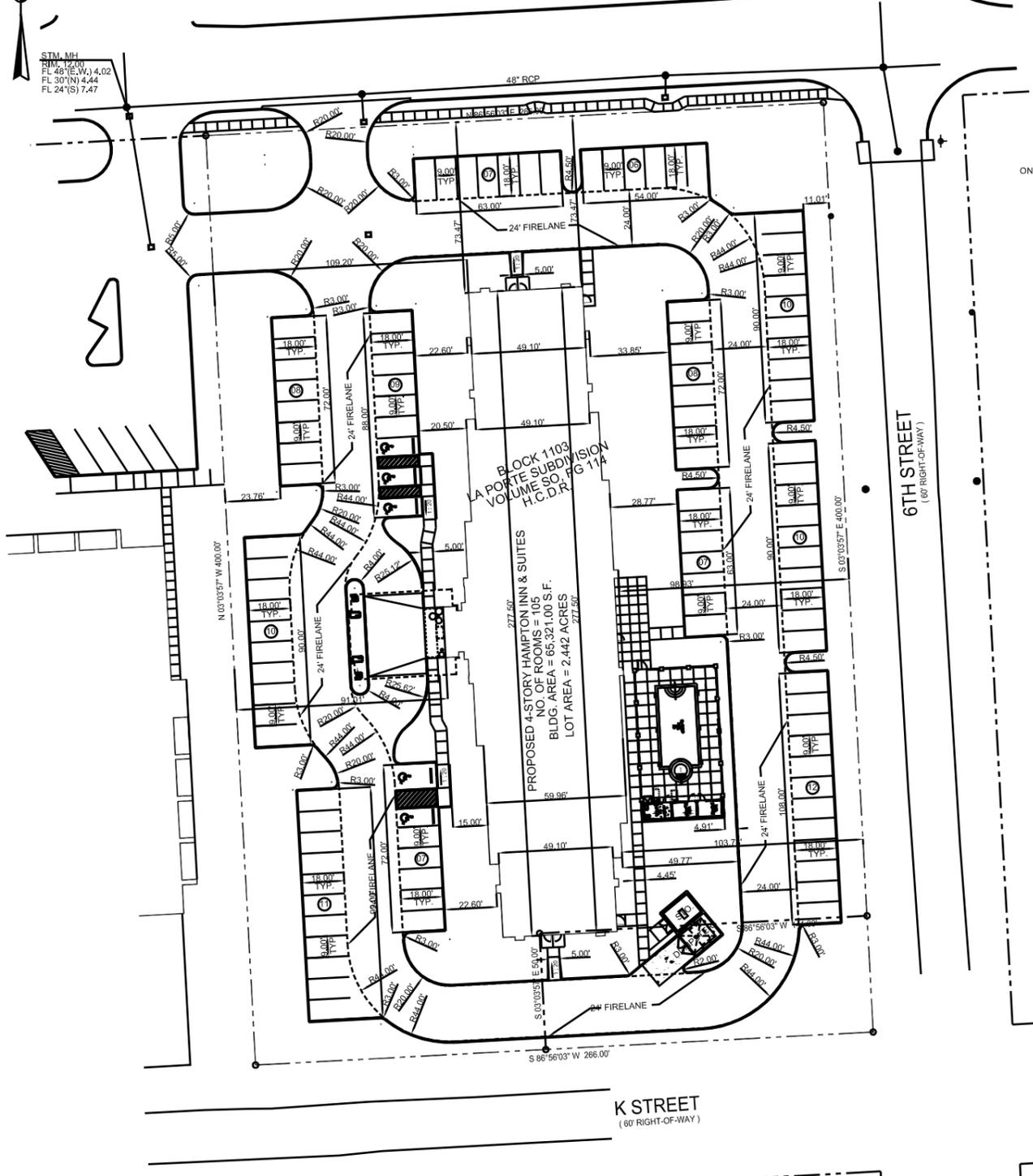
We anticipate to have the largest meeting space in the City with over 2500 sq ft of meeting space. Allowing us to accommodate birthday parties, graduations, wedding, corporate training and sales meetings; along with local municipality meetings. We look forward to hosting and supporting the many local business clients such as Aker Industrial, Total Petrochemicals, Sulzer, Cat-Spec, Du Pont, along with many other industries that help grow the City of La Porte.

Conclusion: We ask P&Z along with citizens of the City of La Porte to grant a SCUP to build a 100 unit Holiday Inn Express & Suites at 711 West Fairmont Parkway. We have a proven history with the City to provide a great hotel and excellent accommodations.

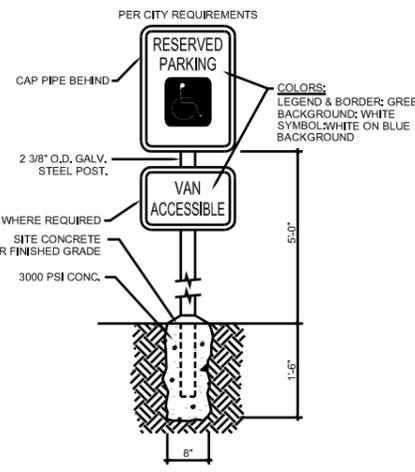


STM. MH
 12.00'
 FL 48" (E.W.) 4.02
 FL 30" (N) 4.44
 FL 24" (S) 7.47

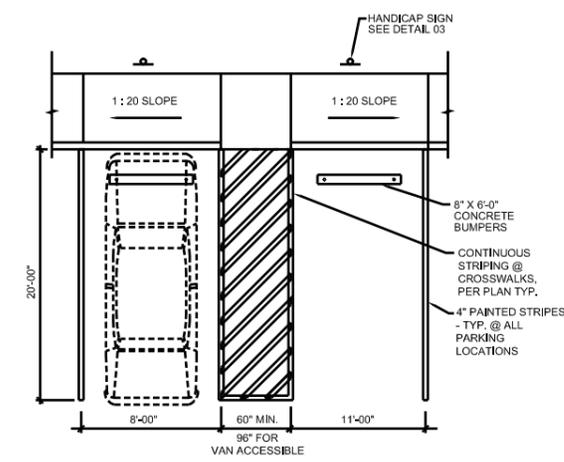
FAIRMONT PARKWAY
 (100' RIGHT-OF-WAY)



BLOCK 1103
 LA PORTE SUBDIVISION
 VOLUME 50, PG. 114
 H.C.D.R.
 PROPOSED 4-STORY HAMPTON INN & SUITES
 NO. OF ROOMS = 105
 BLDG. AREA = 65,321.00 S.F.
 LOT AREA = 2.442 ACRES



03 DETAIL - HANDICAP SIGN
 SCALE: NONE



02 DETAIL - HANDICAP PARKING GRAPHICS
 SCALE: NONE

ACCESSIBLE ROUTE NOTES:
 1. MAXIMUM LONGITUDINAL SLOPE, 1:20
 2. MAXIMUM CROSS SLOPE, INCLUDING PARKING AISLE, 1:50

PROP. 4-STORY HAMPTON INN & SUITES
 NO. OF ROOMS = 105
 TOTAL PARKING REQUIRED = 105 SPACES

	HOTEL	TOTAL
BUILDING AREA	65,321.00 SQ.FT.	65,321.00 SQ.FT.
PARKING REQUIRED	1 SPACE/ROOM UNIT = 105 SPACES	105 SPACES
PARKING FURNISHED	105 SPACES	105 SPACES
H.C. PARKING REQUIRED		5 SPACES (01 VAN)
H.C. PARKING FURNISHED		5 SPACES (01 VAN)

- GENERAL NOTES:**
- ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE CITY OF LA PORTE, TEXAS.
 - CONTRACTOR SHALL PROVIDE "AS BUILT" PLANS TO THE ENGINEER SO THAT THE REPRODUCIBLES OF THE ENGINEERING PLANS MAY BE CORRECTED TO REFLECT "AS BUILT" CONDITIONS.
 - THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE AND MAINTAIN ALL NECESSARY WARNING AND SAFETY DEVICES (FLASHING LIGHTS, BARRICADES, SIGNS, ETC.) TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL THE WORK HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
 - THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN UTILITY LOCATES BY UTILIZING ONE OF THE THREE FOLLOWING NUMBERS:
 TEXAS EXCAVATION SAFETY SYSTEM - 1-800-344-9377
 TEXAS ONE CALL SYSTEM - 1-800-245-4545
 LONE STAR NOTIFICATION CENTER - 1-800-669-8344
 - THE FOLLOWING UTILITY PROVIDERS WITHIN THE CITY OF CLEBURNE ARE NOT MEMBERS OF A ONE CALL SYSTEM AND THE CONTRACTOR OR PERMITEE SHALL NOTIFY THE FOLLOWING UTILITY PROVIDERS AT LEAST 2 WORKING DAYS PRIOR TO CONSTRUCTION SO THAT LOCATES MAY BE MARKED:
 JOHNSON COUNTY SPECIAL UTILITY DISTRICT - 817-558-9522
 JOHNSON COUNTY FRESH WATER DISTRICT - 817-558-2424
 UNITED COOPERATIVE SERVICES - 817-556-4000

FIRE LANE STRIPING SPECIFICATIONS AND REQUIREMENTS

THE ACCESS ROADWAY AND/OR FIRE LANE SHALL BE STRIPPED ON A PAVED SURFACE, AND BE CLEARLY MARKED ON THE PAVEMENT WITH A "RED" LINE AT LEAST SIX (6) INCHES WIDE. "FIRE LANE NO PARKING" IN NOT LESS THAN FOUR (4) INCH LETTERS IN "WHITE" SHALL BE PLACED EVERY OTHER TWENTY FIVE (25) FEET ON THE STRIP. WHERE THE FIRE LANE IS ADJACENT TO A CURB, THE ENTIRE CURB SHALL BE PAINTED. A LEGEND STATING "NO PARKING - FIRE LANE" OF A MINIMUM OF EIGHTEEN (18) INCHES PAINTED IN "YELLOW" SHALL BE PLACED AT ALL ENTRANCES TO THE FIRE LANE (LETTERING MAY BE LARGER, BUT 18" IS MINIMUM). ALL FIRE LANES SHALL CONNECT AT BOTH ENDS TO A DEDICATED STREET OR BE CONSTRUCTED WITH TURNAROUND AREAS AT THE DEAD-END WITH A MINIMUM RADIUS OF FOURTY FIVE (45) FEET. ALL PAINT REFERRED TO SHALL BE A TRAFFIC MARKING PAINT.
 WHEN REQUIRED DURING CONSTRUCTION OR OTHER TEMPORARY USE, APPROVED SIGNS SHALL BE PROVIDED AND MAINTAINED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS AND PROHIBIT THE OBSTRUCTION THEREOF OR BOTH. SIGN MUST BE SECURED SO THAT THEY CANNOT BE MOVED UNTIL PERMANENT FIRE LANE IS PAINTED.

LEGEND

SANITARY SEWER MANHOLE	SS	EXISTING CONTOURS
STORM SEWER MANHOLE	SM	PROPOSED CONTOURS
CLEAN OUT	CO	PROPOSED SANITARY SEWER PIPE
FIRE HYDRANT	FH	EXISTING SANITARY SEWER PIPE
POWER POLE	PP	PROPOSED WATER LINE
TELEPHONE BOX	TB	EXISTING WATER LINE
WATER METER	WM	PROPOSED POWER LINE
GATE VALVE	GV	EXISTING POWER LINE
LIGHT POLE	LP	PROPOSED TELEPHONE LINE
IRRIGATION SPRINKLER HEAD LOCATION	IS	EXISTING TELEPHONE LINE
VAN ACCESSIBLE	VA	PROPOSED TELEPHONE LINE
HANDICAP PARKING	HP	EXISTING TELEPHONE LINE
SIGN LOCATION	SL	PROPOSED R.O.W.
RIGHT OF WAY	R.O.W.	EXISTING GAS LINE
SET IRON ROD	S.I.R.	EXISTING GAS LINE
EXPANSION JOINT	E.J.	PROPOSED STORM SEWER PIPE
SAW JOINT	S.J.	EXISTING STORM SEWER PIPE
CONSTRUCTION JOINT	C.J.	PROPOSED GUY WIRE
EXIST. LIGHTPOLE	EL	EXISTING GUY WIRE
DRAINAGE & UTILITY EASMENT	DU	PROPOSED OVERHEAD ELECTRICAL LINE
DRAINAGE FLOW ARROW	DF	EXISTING OVERHEAD ELECTRICAL LINE
TRAFFIC FLOW ARROW	TF	EXISTING FIBER OPTICS CABLE
FOUND IRON ROD	F.I.R.	
GAS METER	GM	
EXIST. WATER VALVE	EWV	



01 CONCEPTUAL SITE PLAN
 SCALE: 1" = 30'-0"



GENERAL CONSTRUCTION NOTES
 IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO NOTIFY, PROVIDE INFORMATION, AND COORDINATE WITH THE CITY/COUNTY UTILITY DEPARTMENTS AND OTHER UTILITY COMPANIES REGARDING THE LOCATION, DEPTHS, SIZES AND ANY RELEVANT INFORMATION OF ALL PROPOSED ABOVE AND UNDERGROUND UTILITIES INCLUDING GAS, FIBER OPTIC, COMMUNICATION CABLES, AND THE LIKE, PRIOR TO PERFORMING ANY DIRTWORK, EXCAVATION, EMBANKMENT FILL, OR HOLE DRILLING RELATED TO ONSITE OR OFFSITE WORK FOR THIS PROJECT.

OWNERSHIP AND USE OF DRAWINGS
 THESE DRAWINGS WHETHER PRINTED OR ELECTRONIC IN FORM, PREPARED BY THE ENGINEER BW HUDSON ENGINEERS AND ASSOCIATES, ARE INSTRUMENTS OF SERVICE THROUGH WHICH THE CONTRACTOR SHALL EXECUTE THE WORK DESCRIBED HEREIN. ONLY THE ENGINEER SHALL OWN, CLAIM AUTHORSHIP, CLAIM COPYRIGHT OR RETAIN ANY OTHER RESERVED RIGHTS ON THESE DRAWINGS, UNLESS OTHERWISE AGREED TO OR PERMITTED IN WRITING BY THE ENGINEER. THESE DRAWINGS SHALL NOT BE COPIED, REVISED OR TRANSMITTED TO ANY THIRD PARTY.
 THESE DRAWINGS SHALL NOT BE USED BY THE CONTRACTOR, SUBCONTRACTOR, MATERIAL OR EQUIPMENT SUPPLIER ARE PERMITTED TO USE OR REPRODUCE PORTIONS OF THE DRAWINGS RELATIVE TO THEIR PERFORMANCE CONTRACT AS SPECIFIED IN THE CONTRACT DOCUMENTS.
 THESE DRAWINGS SHALL NOT BE USED BY THE CONTRACTOR, SUBCONTRACTOR, MATERIAL OR EQUIPMENT SUPPLIER ON OTHER PROJECTS OR ON ADDITIONS TO THIS PROJECT OUTSIDE THE ORIGINAL SCOPE OF WORKS WITHOUT THE SPECIFIC WRITTEN CONSENT OF THE ENGINEER.
 OFFICIAL SUBMISSION OF THESE PLANS TO REGULATORY AGENCIES SHALL ONLY MEAN COMPLIANCE TO REGULATORY REQUIREMENTS AND SHALL NOT BE CONSTRUED AS PUBLICATION OR LOSS OF ENGINEER'S COPYRIGHTS OR OTHER RESERVED RIGHTS.

OWNER/DEVELOPER:

PROJECT STATUS:
 PRELIMINARY
PROJECT MANAGER:
 JAY PATEL
DESIGN COORDINATOR:
 KRIS LOUIE TORTAL
DATE:
 10/15/08
DRAWING DONE BY:
 KRIS LOUIE TORTAL



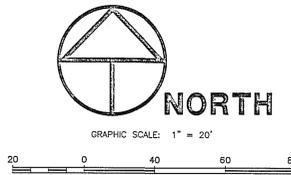
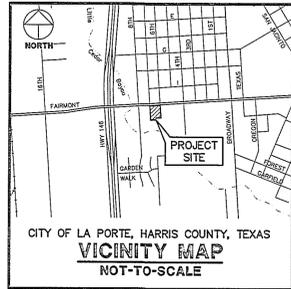
132 E. Main Street, Suite 200
 Grand Prairie, Texas 75050
 www.bwhudsonengineers.com
 Bhudson911@aol.com

BW HUDSON
 ENGINEERS AND ASSOCIATES

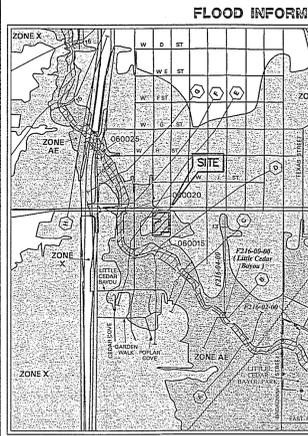
BUILDING DESIGN-RENDERING
 BLUE PRINTING-SCANNING
 SCALE MODELS-ANIMATIONS
 Tel. No.: (972) 264-4408
 Fax No.: (972) 264-4416

OCTOBER 15, 2008

CONCEPTUAL SITE PLAN
PROPOSED HAMPTON INN & SUITES
 BLOCK 1103 LA PORTE SUBDIVISION
 FAIRMONT PARKWAY / 6TH STREET
 CITY OF LA PORTE, TEXAS
 2.442 ACRES



- LEGEND**
- SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY
 - BO - BOLLARD
 - HC - HANDICAP
 - GM - GAS METER
 - GV - GAS VALVE
 - PH - FIRE HYDRANT
 - WM - WATER METER
 - WV - WATER VALVE
 - IV - IRRIGATION CONTROL VALVE
 - GI - GRATE INLET
 - GR - GRATE INLET
 - MA - MANHOLE
 - GM - GREASE TRAP MANHOLE
 - EL - ELEVATION
 - TP - TELEPHONE FEEDSTAB
 - EB - ELECTRIC BOX
 - LP - LIGHT POLE
 - TL - TRAFFIC LIGHT POLE
 - DP - DROP POLE
 - PP - POWER POLE
 - MP - METER POLE
 - SP - SERVICE POLE
 - GA - GUY ANCHOR
 - OL - OVERHEAD POWER LINE
 - BL - BARE WIRE FENCE
 - WF - WROUGHT IRON FENCE
 - WF - WOOD FENCE
 - CF - CHAINLINK FENCE
 - UL - OVERHEAD UTILITY LINE
 - EX - EXISTING
 - AP - APPROXIMATE
 - HI - HIGHBANK
 - SI - SIGN
 - PM - PIPELINE MARKER
 - US - UNDERGROUND CABLE SIGN
 - MS - MONITORING WELL
 - BC - BACK OF CURB
 - G - GUTTER
 - TO - TOP OF GRATE
 - FL - FLOW LINE
 - HB - HIGHBANK
 - SM.SW - SANITARY SEWER
 - SM.SW - STORM SEWER
 - CM - CORRUGATED METAL PIPE
 - RC - REINFORCED CONCRETE PIPE
 - TEL - TELEPHONE
 - SWT - SOUTHWESTERN BELL TELEPHONE CO.
 - WR - WATER
 - UG - UNDERGROUND
 - RD - ROAD
 - H.C.C.F. - HARRIS COUNTY CLERK FILE
 - H.C.D.R. - HARRIS COUNTY DEED RECORDS
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS
 - IP - IRON PIPE
 - IR - IRON ROD
 - NO. - NUMBER
 - PL - PACE
 - R.O.W. - RIGHT-OF-WAY
 - SQ. FT. - SQUARE FEET
 - VOL. - VOLUME
 - F.C. - FILM CODE
 - TC - TOP OF CURB
 - SET CAPPED 5/8" IR - 5/8" IRON ROD W/ PLASTIC CAP STAMPED WINDROSE LAND SERVICES
 - TR - TREE/SHRUB
 - TD - TRAFFIC DIRECTION ARROW



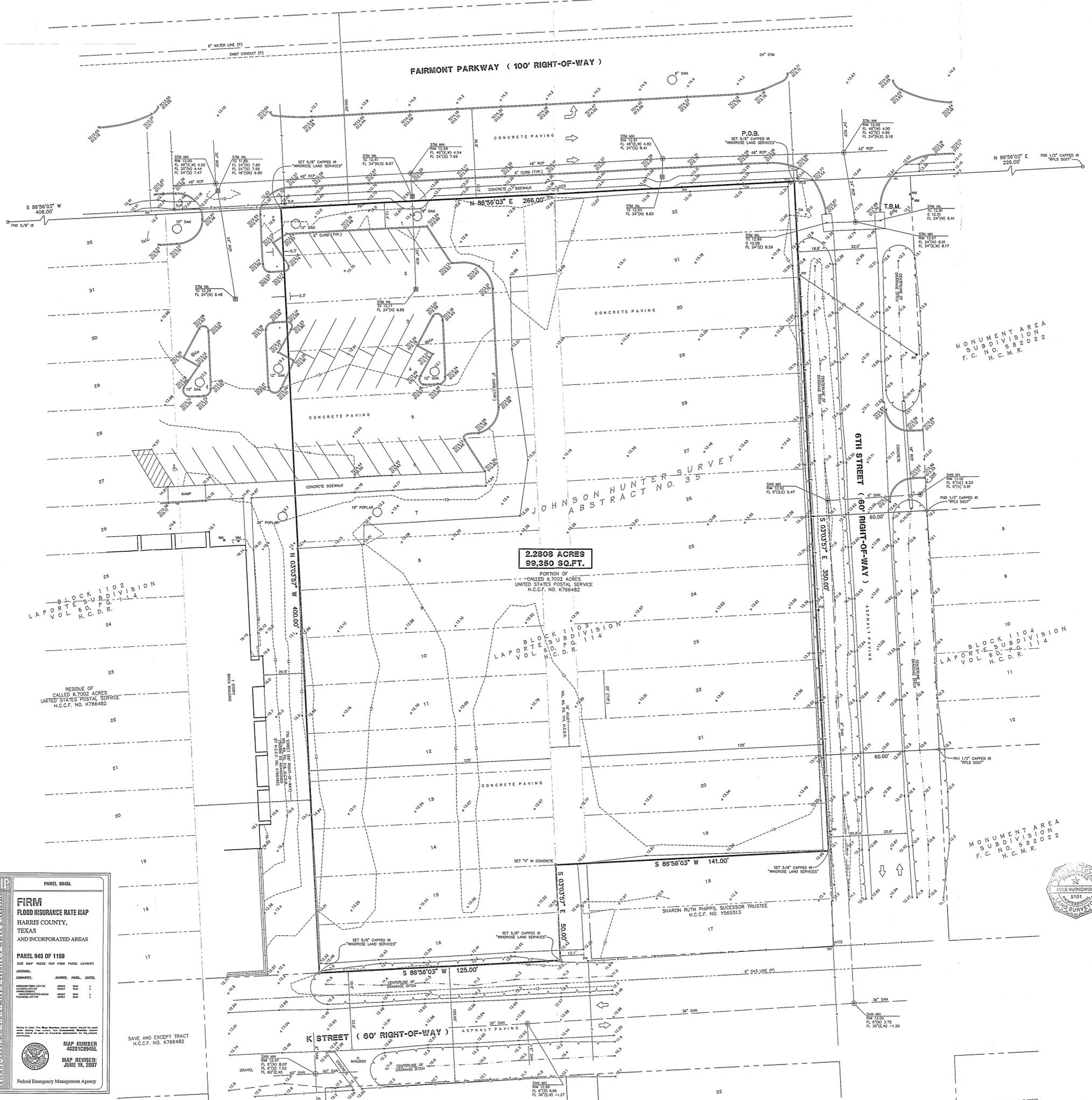
FIRM FLOOD INSURANCE RATE MAP
HARRIS COUNTY, TEXAS
AND INCORPORATED AREAS

PANEL 0945L
PANEL 945 OF 1150
SEE MAP INDEX FOR FIRM PANEL LAYOUT

CONTRACT: 42201C0945L
DATE: JUNE 18, 2007

MAP NUMBER: 42201C0945L
MAP REVISED: JUNE 18, 2007

Federal Emergency Management Agency



LEGAL DESCRIPTION

A TRACT OR PARCEL CONTAINING 2.2808 ACRES OR 99,350 SQUARE FEET OF LAND SITUATED IN THE JOHNSON HUNTER SURVEY, ABSTRACT NO. 35, HARRIS COUNTY, TEXAS, BEING OUT OF BLOCK 1103 AND BEING SUBDIVISION NO. 114 OF FAIRMONT PARKWAY (100' WIDE) AS RECORDED UNDER VOLUME 60, PAGE 114 OF THE HARRIS COUNTY DEED RECORDS, ALSO BEING OUT OF A CALLED 6" STREET (60' WIDE) TRACT CONVEYED TO THE UNITED STATES POSTAL SERVICE AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. K766482, WITH SAID 2.2808 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET MARKING THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY (100' WIDE) AND THE WESTERLY RIGHT-OF-WAY LINE OF 6TH STREET (60' WIDE) FOR THE NORTHEASTERLY CORNER OF LOT 32 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE SOUTH 03 DEG. 03 MIN. 57 SEC. EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 6TH STREET A DISTANCE OF 250.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET MARKING THE COMMON EASTERLY CORNER OF LOTS 18 AND 19 OF SAID BLOCK 1103, FOR THE SOUTHEASTERLY CORNER OF THE HERIN DESCRIBED TRACT;

THENCE SOUTH 86 DEG. 56 MIN. 03 SEC. WEST ALONG THE COMMON LINE OF SAID LOTS 18 AND 19 AT A DISTANCE OF 125.00 FEET TO THE COMMON EASTERLY CORNER OF SAID LOTS 18 AND 19 BEING IN THE EASTERLY LINE OF A 16 FOOT WIDE ALLEY AS SHOWN ON SAID LAPORE SUBDIVISION, CONTINUING FOR A TOTAL DISTANCE OF 141.00 FEET TO AN IRON ROD SET IN THE WESTERLY LINE OF SAID 16 FOOT WIDE ALLEY MARKING THE COMMON EASTERLY CORNER OF LOTS 14 AND 15 OF SAID BLOCK 1103, FOR AN INTERIOR CORNER OF THE HERIN DESCRIBED TRACT;

THENCE SOUTH 03 DEG. 03 MIN. 57 SEC. EAST ALONG THE WESTERLY LINE OF SAID 16 FOOT WIDE ALLEY, A DISTANCE OF 50.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF K STREET (60' WIDE) MARKING THE SOUTHEASTERLY CORNER OF LOT 16 OF SAID BLOCK 1103;

THENCE SOUTH 86 DEG. 56 MIN. 03 SEC. WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF K STREET, A DISTANCE OF 125.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET IN THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY MARKING THE NORTHEASTERLY CORNER OF LOT 1 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE NORTH 03 DEG. 03 MIN. 57 SEC. WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF 6TH STREET A DISTANCE OF 400.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET IN THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY MARKING THE NORTHEASTERLY CORNER OF LOT 1 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE NORTH 86 DEG. 56 MIN. 03 SEC. EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY, PASSING AT A DISTANCE OF 125.00 FEET FROM THE NORTHEASTERLY CORNER OF SAID LOT 1, BEING IN THE WESTERLY LINE OF SAID 16 FOOT WIDE ALLEY, CONTINUING FOR A TOTAL DISTANCE OF 250.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.2808 ACRES OR 99,350 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 439711WC, PREPARED BY WINDROSE LAND SERVICES, INC.

- GENERAL NOTES**
- SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN THE COMMITMENT OF NO. 439711WC, LAWYERS TITLE INSURANCE COMPANY, EFFECTIVE DATE OF APRIL 2, 2008, ISSUED DATE OF APRIL 8, 2008.
 - BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0945L, REVISED/DATE JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO LIE WITHIN SHADDED ZONE "X" AND ZONE "AE". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES, INC.
 - READILY VISIBLE IMPROVEMENTS AND UTILITIES WERE LOCATED WITH THIS SURVEY. NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED BY WINDROSE LAND SERVICES, INC.
 - ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
 - THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THE SURFACE. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
 - FENCES SHOWN HEREON WITH DIMENSIONAL TIES ARE SHOWN WHERE THEY ARE PHYSICALLY MEASURED. THE FENCE MAY MEANDER BETWEEN MEASURED LOCATIONS.
 - ELEVATIONS SHOWN TO THE NEAREST TENTH ARE NATURAL GROUND SURFACE ELEVATIONS AND ELEVATIONS SHOWN TO THE NEAREST HUNDRETH ARE SOLID SURFACE ELEVATIONS.
 - GAS, SANITARY, STORM, TELEPHONE AND WATER LINES SHOWN HEREON ARE BASED ON UTILITY PLANS ACQUIRED FROM THE CITY OF LA PORTE, HARRIS COUNTY, ALBERT AND CENTERPOINT ENERGY, AND WERE FIELD VERIFIED WHERE POSSIBLE. OTHER UTILITY PLANS OR INFORMATION MAY EXIST NOT KNOWN TO THIS COMPANY.
 - SURVEYOR DID NOT PHYSICALLY ENTER MANHOLES. UNDERGROUND PIPE SIZES WERE DETERMINED BY A "MEASURE DOWN" METHOD FROM TOP OF MANHOLE RIM OR TOP OF GRATE OR TOP OF CURB AND WERE COMPARED WITH UTILITY PLANS WHERE AVAILABLE.
 - SURVEYOR HAS CONTACTED DIGTESS FOR LOCATION OF BURIED UTILITY AND FIBER OPTIC LINES PRIOR TO THIS SURVEY. AT THE TIME OF SURVEY, NO MARKERS WERE FOUND INDICATING UNDERGROUND UTILITY LINES OR FIBER OPTIC LINES ON THE SUBJECT TRACT OR IN ADJACENT RIGHT-OF-WAYS. OTHER UTILITIES SHOWN HEREON, OTHER UNDERGROUND UTILITY LINES MAY EXIST NOT KNOWN TO THIS COMPANY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT DIGTESS OR OTHER UTILITY NOTIFICATION SERVICES FOR LOCATION OF UNDERGROUND UTILITIES, PRIOR TO CONSTRUCTION.

- SCHEDULE 'B' NOTES**
- B.10(a) SUBJECT TO TERMS, CONDITIONS AND STIPULATIONS OF THE LA PORTE AREA WATER AUTHORITY CREATED BY ORDINANCE NO. 1295, AS RECORDED UNDER H.C.C.F. NO. 1829772, (PLANET IN NATURE).
- B.10(f) SUBJECT TO THE ZONING ORDINANCES NOW IN FORCE IN THE CITY OF LA PORTE, TEXAS.
- B.10(g) THE SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF HOUSTON OR WITHIN ITS EXTRA-TERRITORIAL JURISDICTION (WITHIN 5 MILES OF THE CITY LIMITS BUT OUTSIDE ANOTHER MUNICIPALITY) IT IS SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CITY OF HOUSTON ORDINANCE 85-1878, PERTAINING TO AMONG OTHER THINGS, THE PLATTING AND RELATING OF REAL PROPERTY AND TO THE ESTABLISHMENT OF BUILDING LINES (25 FEET ALONG MAJOR THOROUGHFARES AND 10 FEET ALONG OTHER STREETS), A CERTIFIED COPY OF SAID ORDINANCE WAS RECORDED UNDER H.C.C.F. NO. N253886, SAID ORDINANCE BEING AMENDED BY ORDINANCE NO. 1999-282.

BENCHMARK PUBLISHED ELEVATION - 12.97'
FLOODPLAIN RM NO. 066020, HARRIS COUNTY FLOOD CONTROL DISTRICT DISK (STAMPED) P 218 84-033) LOCATED ON THE SOUTH SIDE OF FAIRMONT PARKWAY BRIDGE OVER LITTLE CEDAR BAYOU (STREAM F 216-00-00) 220' +/- WEST OF 8TH STREET (NAVD83, 2001 ADJUSTMENT).

TEMPORARY BENCHMARK ELEVATION - 15.68'
"L" IN MUELLER ON FIRE HYDRANT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FAIRMONT PARKWAY AND 6TH STREET.

SURVEYOR'S CERTIFICATION

TO: UNITED STATES POSTAL SERVICE
LAWYERS TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7a, 7b, 8, 9, 10, 11a, 11b, 12, 13, 14, 15, 17 AND 18 OF TABLE A THEREIN PURSUANT TO THE ACCURACY STANDARDS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDESIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

MIKE KIRCHGESSER
Registered Professional Land Surveyor
Texas Registration No. 5101

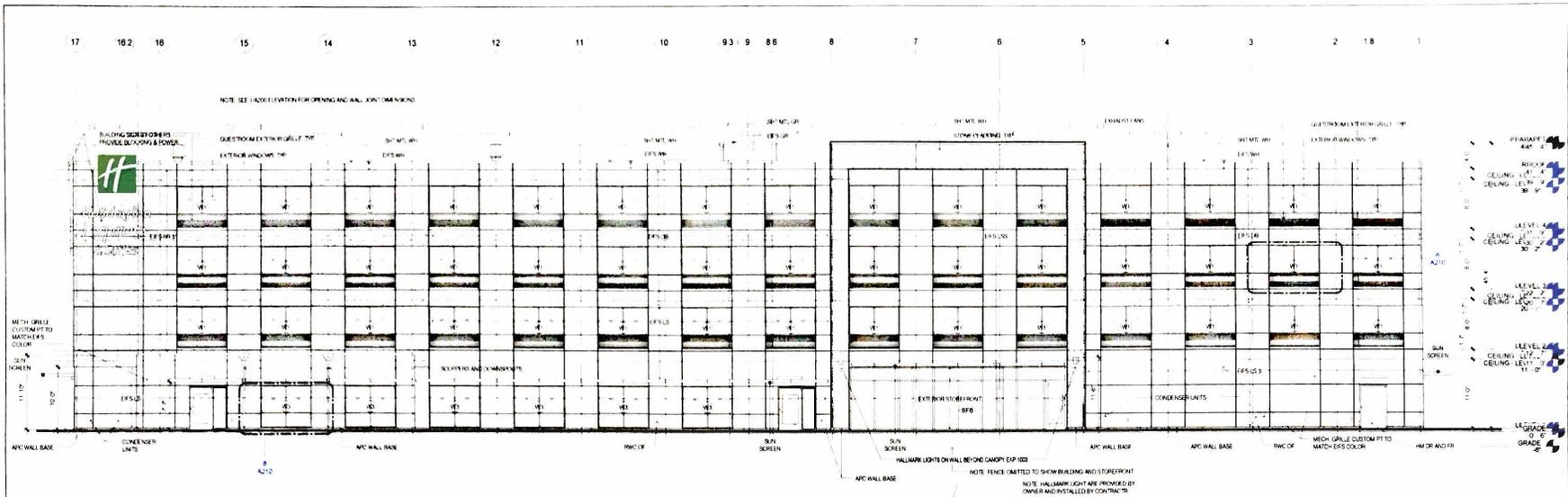
DATE: 05/02/08

REVISIONS		
DATE	REASON	BY

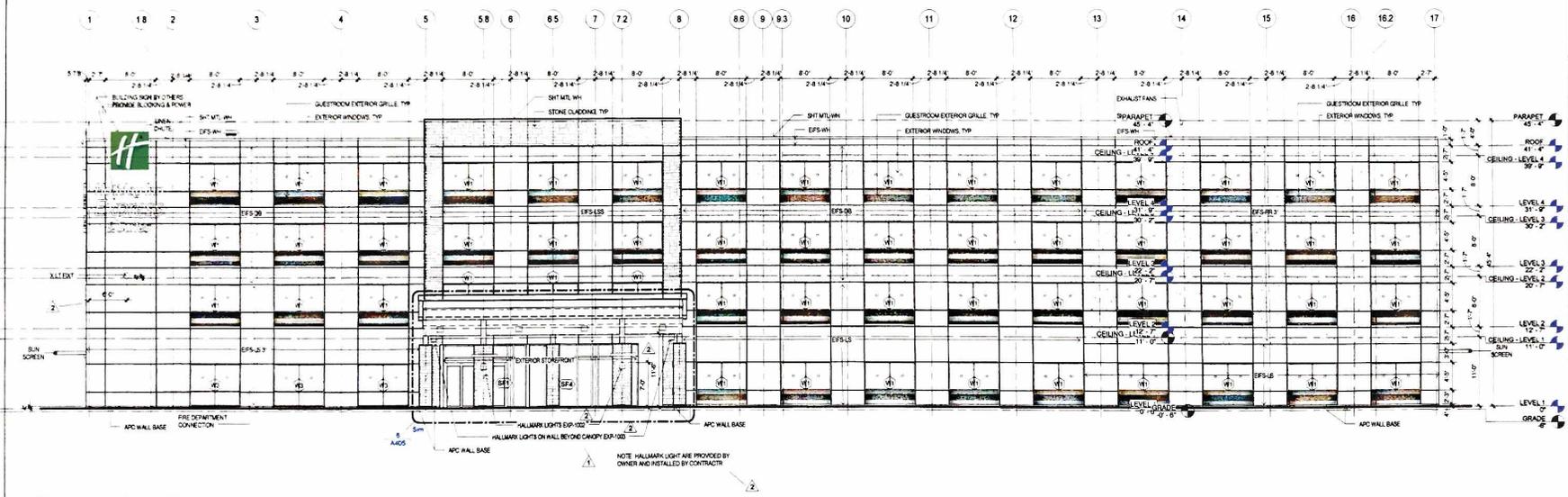
Windrose Land Services, Inc.
3626 Westchase
Houston, Texas 77062
Phone (713) 458-2282 Fax (713) 461-1151
Professional Surveying & Engineering Services

ALTA/ACSM LAND TITLE SURVEY OF
2.2808 ACRES OR 99,350 SQ. FT.
SITUATED IN THE
JOHNSON HUNTER, ABSTRACT NO. 35
HARRIS COUNTY, TEXAS

FIELDED BY: PW CHECKED BY: MK JOB NO: 439711WC
DRAWN BY: TW DATE: 04/24/08 SHEET NO: 1 OF 1



2 EXTERIOR ELEVATION, REAR/NORTH
1/8" = 1'-0"



1 EXTERIOR ELEVATION, FRONT/SOUTH
1/8" = 1'-0"

FFAFAFA
444-4
CEILING-LEVEL 4
30'-0"
CEILING-LEVEL 3
30'-0"
CEILING-LEVEL 2
20'-0"
CEILING-LEVEL 1
11'-0"
LEVEL 4
31'-0"
LEVEL 3
30'-2"
LEVEL 2
22'-2"
CEILING-LEVEL 2
20'-0"
LEVEL 1
11'-0"
SUN SCREEN
LEVEL GRADE
0'-0"
GRADE

2.204: HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR. SEE ELEVATION FOR HALLMARK LIGHTS. HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR.

2.205: HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR. SEE ELEVATION FOR HALLMARK LIGHTS. HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR.

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2.220: HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR. SEE ELEVATION FOR HALLMARK LIGHTS. HALLMARK LIGHTS SHALL BE PROVIDED BY OWNER AND INSTALLED BY CONTRACTOR.

2014 Holiday Inn Express
Prototype, Straight Pavilion
Client
InterContinental Hotels Group
Holiday Inn Express
& Suites

DETAILED PROTOTYPE
DOCUMENTS.
AUG. 8, 2014
NOT FOR CONSTRUCTION.

Sheet

Printed Name

Signature

Date Issued

Rev. No.	Description	Date
1	Issued Prototype Revisions 1/07/14	
2	REVISION 2	08/08/15

Project Number	Date
8935 D8	08/08/14

Drawn by: EBJ/B

Checked by: JR/CK

EXTERIOR ELEVATIONS

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



August 16, 2018

AGENDA ITEMS 17-19

Special Conditional Use Permit #18-91000011

A request by Michael Gartner, applicant; on behalf of Sailesh & Paresh Gandhi, owner; to allow for a Hotel/Motel Use, to locate on a 2.39 acre tract of land legally described as Reserve A, Block 1, Home Porte

*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 Hotel/Motel Use, to locate on a 2.39 acre tract of land legally described as Reserve A, Block 1, Home Porte?

DISCUSSION

Location:

The subject site is located at the southeast corner of K and 15th St. ROW.

Background Information:

The property is currently undeveloped and zoned General Commercial (GC). The applicant is interested in clearing the property to develop a new hotel. Current plans call for a 4 story, 140 room Fairfield/Town Place hotel to occupy the entire 2.39 acres.

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	Waffle House
South	GC, General Commercial	Home 2 Suites
West	GC, General Commercial	Bar/Tavern
East	GC, General Commercial	Undeveloped

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case notice was sent to all property owners and residents within the rezoning area; 4 signs were posted in the area of the rezoning within 15 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City's website.

Analysis:

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

1. *Land Use.* The proposed hotel use is not an ideal use for this section of the city. The site is located within 1000 feet of at least 4 exiting or proposed hotel/motel uses, and within 2800 feet of 11 exiting or proposed hotel/motels.
2. *Access.* No improved ROW currently exists in order to access the property. Either K or 14th St. will need to be extended to gain adequate access to the proposed development.
3. *Utilities.* Water and sewer services are available along the K St. ROW and S. 13th St.

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 would need to be extended in order to serve the proposed site.
Impact on the value and practicality of the surrounding land uses.	Proposed use would add to a glut of existing hotel/motel uses already operating in the immediate area and potentially hurt the existing operations.
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 commercial uses.
Character of the surrounding and adjacent areas.	The proposed use would not be in conflict with other uses in the area but could add to the increasing glut of hotel rooms on the eastern edge of the city limits.
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 commercial uses due to its existing zoning and location and potential access to Fairmont and 13 th St. However, the proposed hotel use would add to an ever increasing supply of hotel rooms in the immediate vicinity which may lead to decreased commercial diversity 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 use would not have a major negative impact to the existing road infrastructure.
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 use 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 use would not add to the public health, welfare, or safety of the city.
--	--

RECOMENDATION

Based on the above analysis, staff is unable to recommend approval of the proposed SCUP #18-91000011 to allow for a Hotel/Motel use in the GC 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
18-9100011

SE Corner
K and 15th St. ROW

Legend

 Subject Parcel

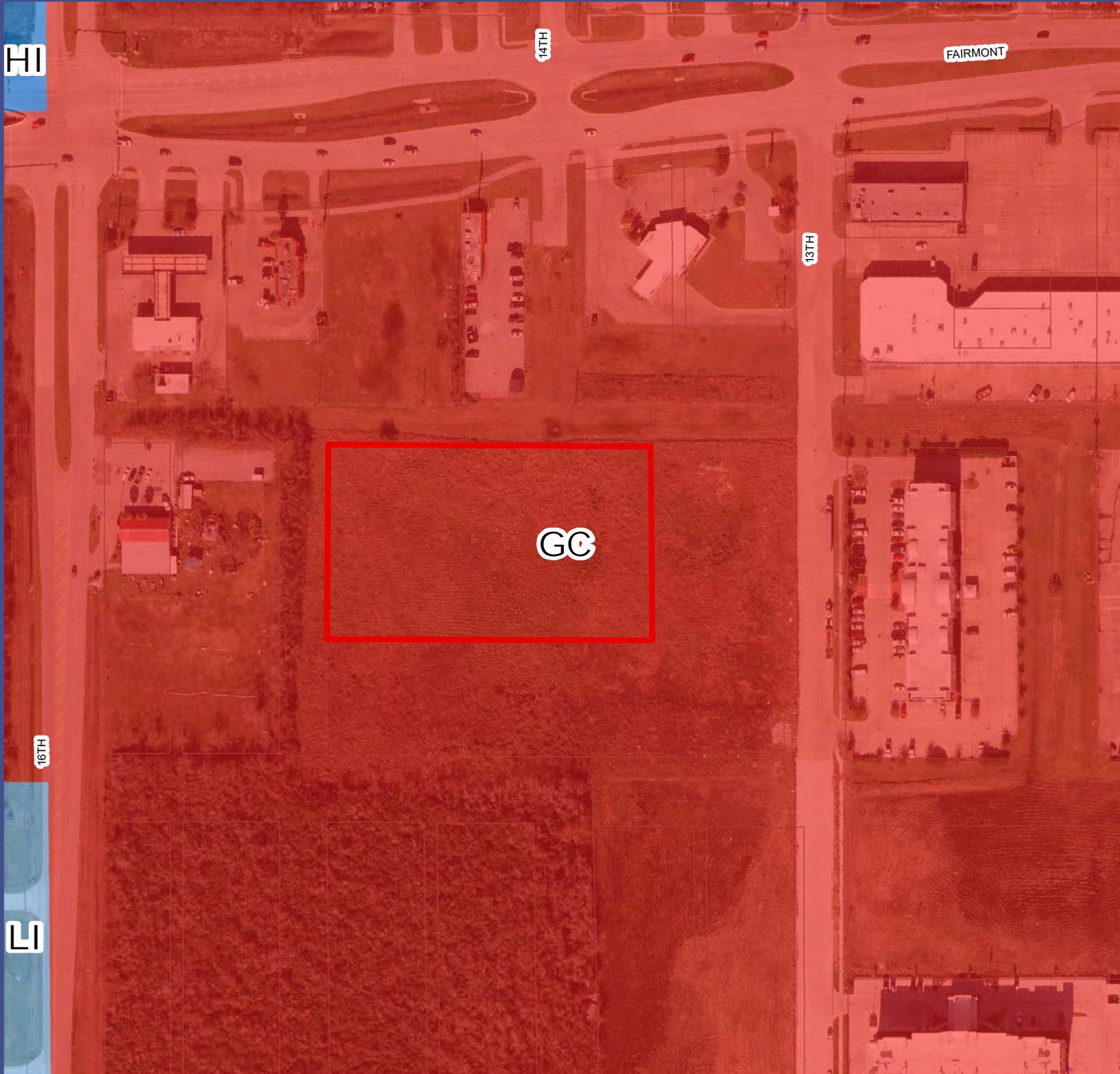


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 175 feet



AUGUST 2018
PLANNING DEPARTMENT



ZONING MAP

SCUP
18-9100011

SE Corner
K and 15th St. ROW

Legend

 Subject Parcel

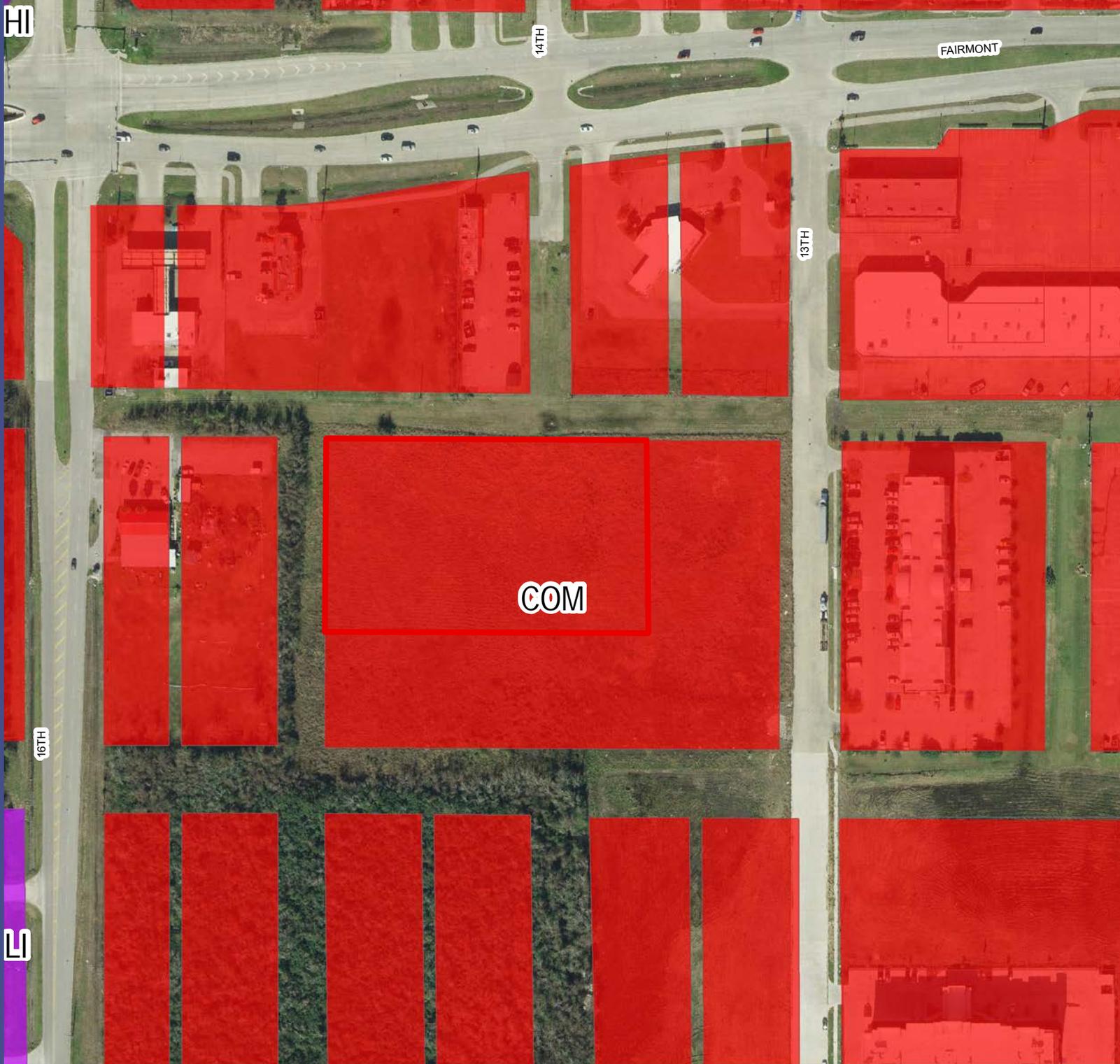


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1 inch = 175 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

SCUP
18-9100011

SE Corner
K and 15th St. ROW

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 = 175 feet



AUGUST 2018
PLANNING DEPARTMENT

EXHIBIT D

**City of La Porte
Special Conditional Use Permit
#18-91000011**

This permit is issued to: Sailesh & Paresh Gandhi
Owner or Agent

1251 South 13th St. La Porte, TX 77571
Address

For Development of: Marriott Motel
Development Name

SE Corner of W. K St. and S 14th St.
Address

Legal Description: Reserve A, Block 1, Home Porte

Zoning: GC, General Commercial

Use: Hotel/Motel

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 Hotel/Motel.
3. The underlying zoning is GC. All GC 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: (not assigned) South 13th Street, La Porte Texas
 Legal description where SCUP is being requested: Reserve A, Block 1, Home Porte
 HCAD Parcel Number where SCUP is being requested: 1291920010001
 Zoning District: General Commercial Lot area: ±2.39 acres

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

Description of Request: Applicant requests a SCUP for a 4 story, Type V construction, Marriott Hotel approximately 75,000 to 85,000 s.f., 120 rooms with pool, meeting room, lobby social space, dining area, fitness center and patio - outdoor social area

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: Sailesh & Paresh Gandhi
 Company (if applicable): _____
 Address: 1251 South 13th Street
 City: La Porte State: TX Zip: 77571
 Phone: (832) 766-3305 Email: samgandhi60@gmail.com

AUTHORIZED AGENT (If other than owner)

Name: Michael Gaertner, Sr.
 Company (if applicable): Michael Gaertner Architects
 Address: 2413 Mechanic Street, Suite A
 City: Galveston State: TX Zip: 77550
 Phone: (713) 223-1191 Email: mikeg@mgaia.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: 7/11/2018

Owner(s)' Signature(s): Date: 7/11/2018

STAFF USE ONLY:

Case Number:
18-91000011

Date Application Received:
7-11-18



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: (not assigned) South 13th Street, La Porte, Texas

LEGAL DESCRIPTION: Reserve A, Block 1, Home Porte

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 25, 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.

Applicant's Signature

SAM GANDHI

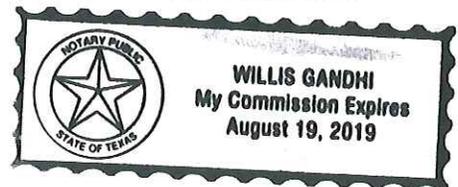
Applicant's Printed Name

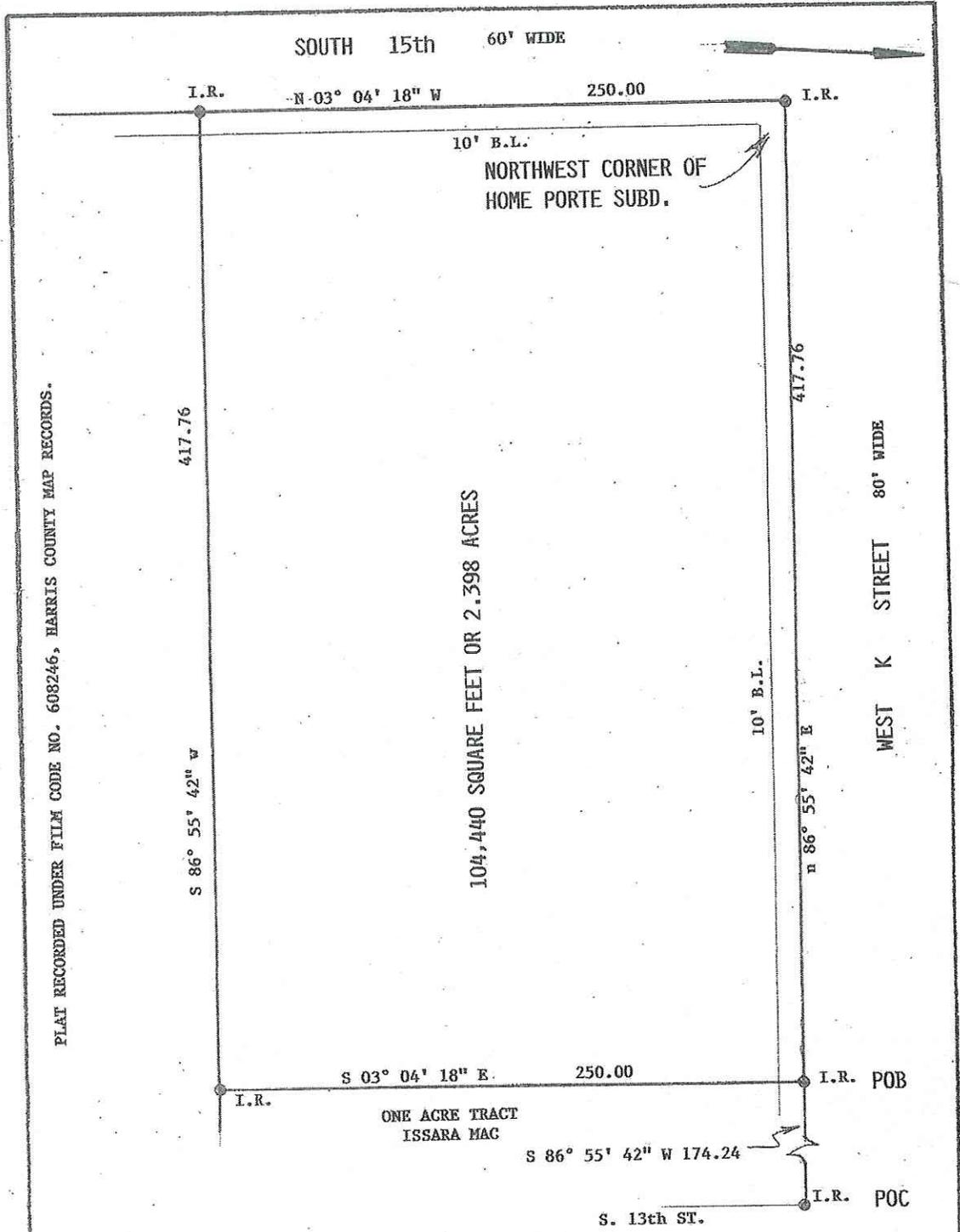
Subscribed and sworn before me this 11 day of July, 2018, by Sailesh Gandhi (Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____





PLAT RECORDED UNDER FILM CODE NO. 608246, HARRIS COUNTY MAP RECORDS.

SURVEY OF A 2,398 ACRE TRACT OUT OF COMMERCIAL RESERVE "A", BLOCK 1, HOME PORTE SUBDIVISION, HARRIS COUNTY, TEXAS

SCALE: 1"=50'
 DATE: 6/22/18
 REVISED:
 SURVEY BY: B.L.S.
 DRAWN BY: B.L.S.
 FOR: RANDY JONES

THIS PLAT IS AN ACCURATE REPRESENTATION OF THAT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THERE ARE NO APPARENT ENCROACHMENTS OR CONFLICTS ACROSS PROPERTY LINES AT THE TIME OF THIS SURVEY, EXCEPT AS SHOWN HEREON.



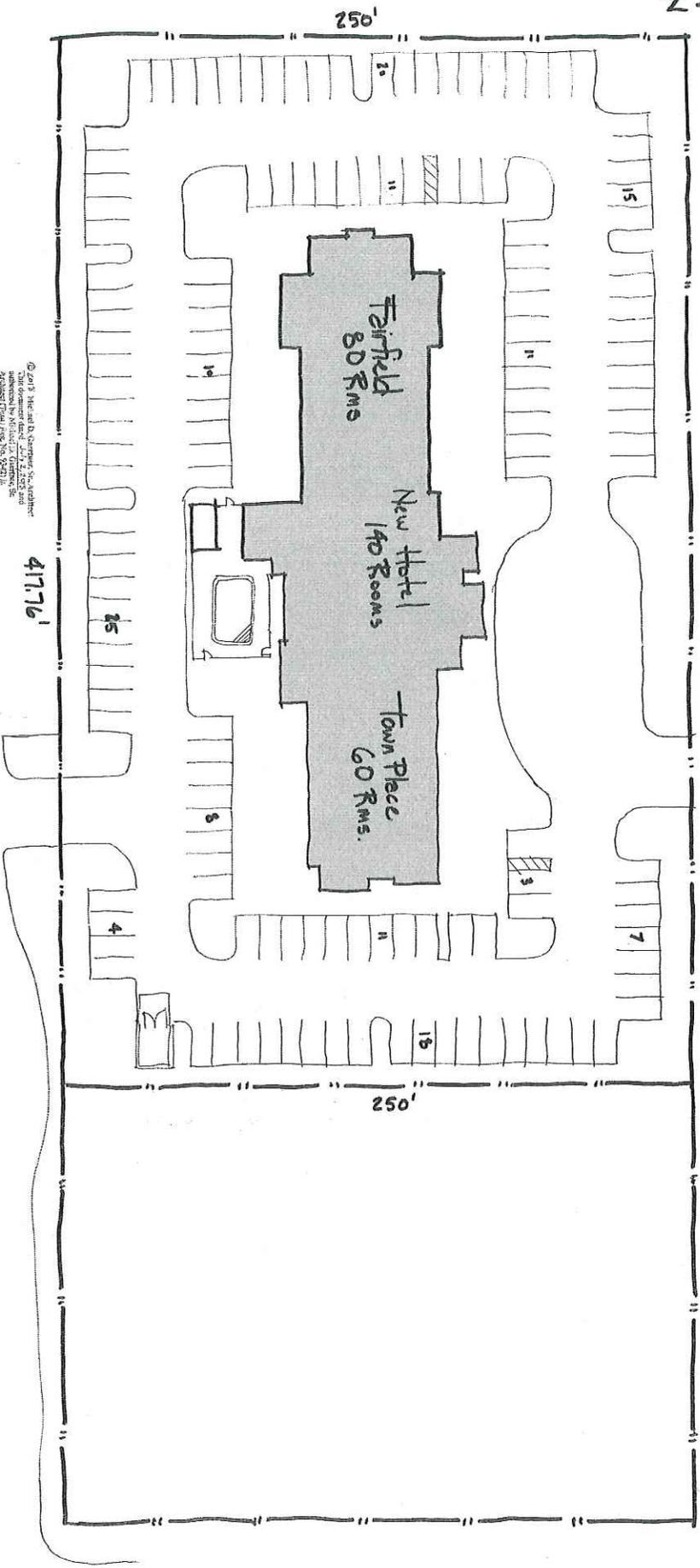
PURCHASER:
 JOB NO. 2934-3

Billy L. Shanks
 BILLY L. SHANKS RPLS NO. 1821

281-808-4789
 FAX 281-942-9009

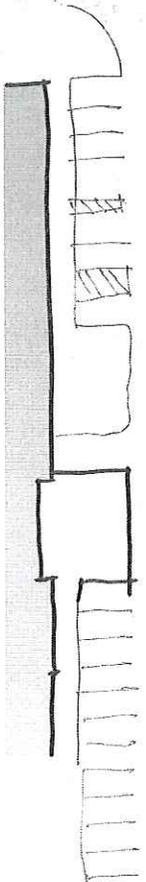
SHANKSL@SBCGLOBAL.NET

4902 CAROLINE ST., SEABROOK, TX., 77586



© 2013 Michael B. Sherman, S.A. Architect
 This document (dated 11/7/2013) and
 all information contained herein are
 submitted to the City of Los Angeles
 for its review and approval. It is
 intended for use only for the project
 indicated and is not to be construed
 as a contract or any other legal instrument.

417.76'



Project Description

The Owners propose to construct a dual- branded Marriott Hotel containing a Fairfield Inn and TownPlace Suites.

The Owners presently own 7 hotels, two of which are within the City of La Porte, the Candlewood Inn & Suites and the soon to open Home2 Suites by Hilton. The Owners are intimately familiar with the hotel industry having owned as many as 12 hotels in the greater Houston area over 25 years. The Owners build hotels for themselves and others, having constructed over 20 hotels in the last 25 years.

The Owners have applied for and obtained a franchise agreement with Marriott, which provides for the hotel as described herein.

Marriott International, Inc. is a leading global lodging company with more than 6,500 properties across 127 countries and territories, reporting revenues of more than \$22 billion in fiscal year 2017. Founded by J. Willard and Alice Marriott and guided by family leadership for 90 years, the company is located outside of Washington, D.C. in Bethesda, Maryland.

The proposed site is approximately 2.39 acres of the Home Porte subdivision located west of South 13th street and south of K Street (unimproved). From Fairmont Parkway, 14th Street, extended south, will intersect the site. The proposed hotel will be four stories with some rooms, and all amenities, guest services & back of house operations on the ground floor, and guest rooms on floors 2 – 4.

The dual-brand hotel project includes all of the guest amenities associated with each of the two brands including pool, meeting room, lobby social space, dining area, fitness center and a patio (outdoor social area). TownPlace Suites offers extended stay guest rooms with a separate sitting area and limited kitchen and dining areas. The Fairfield Inn is a more traditional hotel room. Dual branded properties are typically:

- Are a single building that contains multiple distinct, yet complimentary branded hotels operations within the Marriott portfolio,

- Projects that drive operational efficiencies while not compromising the individual brand experience, and

- Hotels share back of the house operations and some shared amenities such as meeting facilities, fitness center and pool.

Dual branded hotels are indicated in La Porte because:

- La Porte is a high barrier--to--entry location with high land costs and the city requiring public improvements at the Owners' expense,

- There is a small labor pool, and

- The Owners have a long-term investment strategy to own both hotels brands.

Guests respond favorably to dual branded hotels and the choice of price point, length of stay, access to additional amenities and access to Marriott's loyalty (rewards) program.

The Owners have selected a dual branded hotel because of:

- Shared construction and operational expenses, i.e. management and shared services, resulting in attractive, long-term cost savings,

- The advantage of two brands to attract two different audiences and drive incremental spending,

- The concept leverages hotel room mix with different room types to drive occupancy and rate, and

- The project maximizes real estate and land value.

The Owners are familiar with the local barriers to development, the overall and location specific economics of hotel operations and current & forecast economic conditions.

Benefits to the City: The proposed Hotel will generate property tax, hotel occupancy tax and sales tax revenues for the city as well as creating jobs and revenue for nearby businesses such as restaurants. Having committed a sizable franchise fee paid to Marriott, the Owners have every intent of constructing the Hotel, if not in La Porte than in a nearby community more receptive to hotel development.

The Owners respectfully request approval of the proposed dual brand hotel on this site, based on their expertise and experience in the hotel business, the quality associated with Marriott projects and the tax benefits to the City of La Porte and the economic benefit to the community as a whole.



Special Conditional Use Permit Application

Planning and Development Department

(e) If construction is terminated after the completion of any stage and there is ample evidence that further development is not contemplated, the division establishing such special conditional use permit may be rescinded by the city council, upon its own motion or upon the recommendation of the planning and zoning commission of the city, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

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

Sec. 106-217. - Conditions for approval.

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

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

Sec. 106-218. - Amendments.

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

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

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



August 16, 2018

AGENDA ITEMS 20-22

Proposed Ordinance language for Chapter 106 based on the
Annual Review.

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

Planning and Development Department Staff Report

BACKGROUND

At the annual review of Chapter 106 “Zoning,” a subcommittee made up of 4 members of the Planning and Zoning Commission, along with staff support, conducted a full scale review of current regulations. Throughout the multi-month process, staff periodically brought the working document to the full commission as a discussion item. Attached is the final draft document with all proposed changes to Chapter 106.

REQUESTED ACTION

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

Chapter 106 – Proposed Changes

ARTICLE I. - IN GENERAL

Efficiency apartment means an apartment without a bedroom separate from other living quarters.

Enforcing officer means the chief building official of the city or his designated representative.

Façade, primary means that portion or portions of a wall of any permanent structure that is visible from any public right-of-way.

Façade, secondary means that portion or portions of a wall of any permanent structure that is not considered the primary façade.

Façade, tri-partite means a façade that consist of a base, middle, and capitol (or cornice).

Family means any number of related persons or, not more than four unrelated persons living as a single housekeeping unit.

Fence means a manmade structural barrier erected on or around a piece of property or any portion thereof.

Floor area means the sum total area of all floors as calculated from measurements to the outside walls.

Foundation system means an assembly of materials constructed below, or partially below-grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of exterior natural forces, as defined by the Standard Building Code. Such foundation system shall be skirted or enclosed with wood, or masonry to give the appearance of a solid foundation, if one is not provided, compatible with the appearance of adjacent housing.

Fowl means any goose, chicken, peacock, guinea, duck, turkey, and/or other member of the bird family.

Freestanding sign means an outdoor sign supported by uprights or braces placed in or upon the ground, or mounted on a vehicle, trailer, or mobile structure principally used for the purpose of advertising or display of information. For the purpose of this chapter, a portable sign shall be considered to be a freestanding sign.

Garage, private means an accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is an accessory.

Garage, public means a building or portion thereof, other than a private or storage garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor driven vehicles.

Glare means emitted light which exceeds 60 footcandles.

Grade means a referenced plane representing the average of finished ground level adjoining the building and all exterior walls.

Grand opening means the formal offering by a new business of its goods, wares, merchandise, service, entertainment, or activity.

Grazing livestock means domestic livestock (including but not limited to cattle, horses, sheep, goats, ~~hogs~~ swine etc.) that are intended to be pasture animals that can sustain themselves under normal circumstances in concentration defined herein in this chapter.

Greenway corridor means a publicly owned system of trails and walkways, patterned in the open space and pedestrian system plan, and is designated on the land use map, park zone map, and zoning map of the city, that link existing and proposed neighborhood, community, and regional parks with each

other and other proposed activity areas of the city. These trails and walkways, are in their majority within existing right-of-way, but may be within proposed right-of-way to be acquired by the city. Greenway corridors are a special use site, as said special use site is defined in the city's development ordinance, section 12.07.

Group care facilities means residential facilities designed to provide a transition from traditional treatment facilities to normal daily living for special populations such as the mentally retarded, physically

Pole trailer means every vehicle without motive power designed to be drawn by another vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transportation of long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

Political sign means a temporary sign announcing, supporting or opposing political candidates, dates or issues in connection with any national, state or local election.

Portable sign means a sign which is not permanently and rigidly affixed or attached to the ground and is designed or constructed to be easily moved from one location to another, including signs mounted upon or designed to be mounted on a trailer, wheeled carrier, or other non-motorized mobile structure. This definition shall also include any vehicle or trailer parked so as to be visible from a public right-of-way for the primary purpose of advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises.

Principal or primary building means a building or buildings in which the permitted and/or principal use of the lot on which such use is situated is conducted.

Public improvements criteria manual (P.I.C.M.) means the set of standards set forth by the director of planning and approved by the city council to determine the specific technical requirements for construction to public improvements. The manual may be acquired from the community development department, and is on file in the city secretary's office.

Public parks means any publicly owned park, playground, beach, parkway, or railroad within the jurisdiction and control of the city.

Public service sign means the following types of signs and no others shall be considered to be public service signs.

- (1) Signs identifying and naming the location of churches, schools and other nonprofit organizations;
- (2) Signs identifying and naming the location of public facilities; and
- (3) Community information signs which provide information regarding community functions and activities.

Signs which display commercial advertising in conjunction with public service information shall not be considered to be public service signs except that a person, firm, or organization who donates or otherwise provides a public service sign may be identified on such sign in a means which is clearly incidental to the primary message.

Quadraplex means four single-family dwelling units joined by common sidewalls, and/or common floors/ceilings.

Ranch trailer means a vehicle with or without motive power other than a pole trailer designed for carrying livestock, ranch implements, or other moveable personal property attendant to the business or recreational use of the raising of livestock or crops.

Reader panel means any and all portions of any sign on which text, graphics or pictures are displayed. In the case of double faced reader panels, only one side shall be considered in the calculation of sign size.

Recreational livestock means domestic livestock (including but not limited to cattle, horses, sheep, goats, ~~hogs~~ swine etc.) that are intended to be housed in a barn or similar structure, requiring supplemental feed and care in order to be kept in concentration defined in this chapter.

Recreational vehicle means a camp car, motor home, trailer, or tent trailer with or without motive power, designed for human habitation or recreational occupation, having less than 320 square feet.

Rest home or nursing home means a private home for the care of the aged or infirmed or a place of rest for those suffering bodily disorders. Such homes do not contain facilities for surgical care or the treatment of disease or injury.

HI	Heavy industrial district
PUD	Planned unit development district

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

201 2 7 NAICS Code	201 2 7 NAICS Title	**	NC	MS	GC	MU	BI	LI	HI
	Artisan shops with a retail component (1,000 sq ft max)		P ³			P ³			
	Artisan shops with a retail component (2,500 sq ft max)			P ³	P ³	C			
	Offices only for any use code			P	P		P	P	P
	All uses permitted or/accessory in R-3 zone, except single-family detached and special lot, duplexes, quadruplexes, townhouses, and multi-family		P	P ¹	P	P			
	Single-family detached			P ²		P			
	All Conditional uses in R-3 zone		C	C	C	C			
11	Agriculture, Forestry, Fishing & Hunting	**							
21	Mining	**							
22	Utilities	**							
23	Construction								
236	Construction of Buildings			P	P		P	P	P

237	Heavy and Civil Engineering Construction						P	P	P
2381	Foundation, Structure, and Building Exterior Contractors								
2382	Building Equipment Contractors		P	P			P	P	P
2383	Building Finishing Contractors								
238910	Site Preparation Contractors			C			P	P	P
238990	All Other Specialty Trade Contractors			C			P	P	P
31-33	Manufacturing								
3111	Animal Food Manufacturing								
3112	Grain and Oilseed Milling								
3113	Sugar and Confectionery Product Manufacturing							C	P
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing								
3115	Dairy Product Manufacturing								
3116	Animal Slaughtering and Processing							C	C
3117	Seafood Product Preparation and Packaging								
311811	Retail Bakeries		P	P	P	P	P	P	P
3118	Commercial Bakeries and Tortilla Manufacturing			p ¹⁸	p ¹⁸		P		
311811	Retail Bakers		P	P	P	P	P	€ P	P
3119	Other Food Manufacturing			p ¹⁸	p ¹⁸		P		
31211	Soft drink and Ice Manufacturing							C	P
31212	Breweries		C	C	C	C	C	C	P

31213	Wineries								
31214	Distilleries								
312230	Tobacco Manufacturing							C	P
313	Textile Mills			p ¹⁸	p ¹⁸		P	P	P
314	Textile Product Mills						P	P	P
315	Apparel Manufacturing						P	P	P
316110	Leather and Hide Tanning and Finishing								C
3162	Footwear Manufacturing							C	P
3169	Other Leather and Allied Product Manufacturing								P
321	Wood Product Manufacturing	**							
3221	Pulp, Paper, and Paperboard Mills	**							
322211	Corrugated and Solid Fiber Box Manufacturing							C	P
322212	Folding Paperboard Box Manufacturing							C	P
322219	Other Paperboard Container Manufacturing						P	P	P
32222	Paper Bag and Coated and Treated Paper Manufacturing							C	P
323111	Commercial Printing (except Screen and Books)			P	P		P	P	P
323113	Commercial Screen Printing			P	P		P	P	P
323117	Books Printing			P	P		P	P	P
323120	Support Activities for Printing						P	P	P
324	Petroleum and Coal Products Manufacturing	**							

325	Chemical Manufacturing	**							
326	Plastic and Rubber Products Manufacturing						C	C	P
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing						C	C	P
32712	Clay Building Material and Refractories Manufacturing								
3272	Glass and Glass Product Manufacturing								
3273	Cement and Concrete Product Manufacturing								P
3274	Lime and Gypsum Product Manufacturing								
3279	Other Nonmetallic Mineral Product Manufacturing								
331	Primary Metal Manufacturing								P
3321	Forging and Stamping							P	P
3322	Cutlery and Handtool Manufacturing								
3323	Architectural and Structural Metals Manufacturing								
3324	Boiler, Tank, and Shipping Container Manufacturing						P	P	P
3325	Hardware Manufacturing								
3326	Spring and Wire Product Manufacturing								
3327	Turned Product and Screw, Nut, and Bolt Manufacturing								
332811	Metal Heat Treating						C	P	P
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers							P	P
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring						P	P	P
332911	Industrial Valve Manufacturing							P	P

332912	Fluid Power Valve and Hose Fitting Manufacturing							P	P
332913	Plumbing Fixture Fitting and Trim Manufacturing						P	P	P
332919	Other Metal Valve and Pipe Fitting Manufacturing						P	P	P
332991	Ball and Roller Bearing Manufacturing							P	P
332992	Small Arms Ammunition Manufacturing								P
332993	Ammunition (except Small Arms) Manufacturing								P
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing								C
332996	Fabricated Pipe and Pipe Fitting Manufacturing							P	P
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing						P	P	P
3331	Agriculture, Construction, and Mining Machinery Manufacturing								
333241	Food Product Machinery Manufacturing								
333242	Semiconductor Machinery Manufacturing							P	P
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing								
333244	Painting Machinery and Equipment Manufacturing								
333249	Other Industrial Machinery Manufacturing								
3333	Commercial and Service Industry Machinery Manufacturing						P	P	P
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing							P	P

333414	Heating Equipment (except Warm Air Furnaces) Manufacturing						P	P	P
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing						P	P	P
3335	Metalworking Machinery Manufacturing								
333611	Turbine and Turbine Generator Set Units Manufacturing								
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing							P	P
333613	Mechanical Power Transmission Equipment Manufacturing								
333618	Other Engine Equipment Manufacturing						P	P	P
333911 333914	Pump, Pumping Equipment, and Measuring and Dispensing Pump Manufacturing							P	P
333912	Air and Gas Compressor Manufacturing							P	P
333913 333914	Measuring and Dispensing Pump Manufacturing						P	P	P
333921	Elevator and Moving Stairway Manufacturing							P	P
333922	Conveyor and Conveying Equipment Manufacturing							P	P
333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing						P	P	P
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing							P	P
333991	Power-Driven Hand tool Manufacturing							P	P

333992	Welding and Soldering Equipment Manufacturing						P	P	P
333993	Packaging Machinery Manufacturing							P	P
333994	Industrial Process Furnace and Oven Manufacturing						P	P	P
333995	Fluid Power Cylinder and Actuator Manufacturing							P	P
333996	Fluid Power Pump and Motor Manufacturing								
333997	Scale and Balance Manufacturing						P	P	P
333999	All Other Miscellaneous General Purpose Machinery Manufacturing								
3341	Computer and Peripheral Equipment Manufacturing			p ¹⁸	p ¹⁸		p ¹⁸	P	P
3342	Communications Equipment Manufacturing								
3343	Audio and Video Equipment Manufacturing								
3344	Semiconductor and Other Electronic Component Manufacturing			p ¹⁸	p ¹⁸		P	P	P
3345	Navigation, Measuring, Electromedical and Control Instruments Manufacturing								
3346	Manufacturing and Reproducing Magnetic and Optical Media								
3351	Electric Lighting Equipment Manufacturing								
3352	Household Appliance Manufacturing						P	P	P
3353	Electrical Equipment Manufacturing								
33591	Battery Manufacturing								
33592	Communication and Energy Wire and Cable Manufacturing							P	P

	Manufacturing								
336999	All Other Transportation Equipment Manufacturing							P	P
337110	Wood Kitchen Cabinet and Countertop Manufacturing			P ³	P ³		P	P	P
337121	Upholstered Household Furniture Manufacturing			P ³	P ³		P	P	P
337122	Non-upholstered Wood Household Furniture Manufacturing			P ³	P ³		P	P	P
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing								
3372	Office Furniture (including Fixtures) Manufacturing						P	P	P
3379	Other Furniture Related Product Manufacturing								
339	Miscellaneous Manufacturing						P	P	P
42	Wholesale Trade								
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers								
4232	Furniture and Home Furnishing Merchant Wholesalers								
4233	Lumber and Other Construction Materials Merchant Wholesalers						P	P	P
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers								
42351	Metal Service Centers and Other Metal Merchant Wholesalers								
42352	Coal and Other Mineral Merchant Wholesalers								P
4236	Household Appliances and Electrical and Electronic Goods Merchant Wholesalers						P	P	P

4237	Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers								
4238	Machinery, Equipment, and Supplies Merchant Wholesalers							C	P
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers			p ¹⁸	€ p ¹⁸		P	P	P
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers			p ¹⁸	€ p ¹⁸		p ⁴	p ⁴	p ⁴
423930	Recyclable Material Merchant Wholesalers								P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers						P	P	P
423990	Other Miscellaneous Durable Goods Merchant Wholesalers						P	P	P
4241	Paper and Paper Product Merchant Wholesalers								
4242	Drugs and Druggists' Sundries Merchant Wholesalers								
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers						P	P	P
4244	Grocery and Related Product Merchant Wholesalers								
4245	Farm Product Raw Material Merchant Wholesalers							P	P
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers						P	P	P
424690	Other Chemical and Allied Products Merchant Wholesalers						P	P	P
424710	Petroleum Bulk Stations and Terminals								C
424720	Petroleum and Petroleum Products Merchant						C	P	P

	Wholesalers (except Bulk Stations and Terminals)								
424810	Beer and Ale Merchant Wholesalers						P	P	P
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers						P	P	P
424910	Farm Supplies Merchant Wholesalers							C	P
42492	Book, Periodical, and Newspaper Merchant Wholesalers								
42493	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers						C	P	P
42495	Paint, Varnish, and Supplies Merchant Wholesalers								
42499	Other Miscellaneous Nondurable Goods Merchant Wholesalers								
425	Wholesale Electronic Markets and Agents and Brokers				P		P	P	P
44-45	Retail Trade								
441110	New Car Dealers			P	P		P	P	P
441120	Used Car Dealers			P	P		P	P	P
441210	Recreational Vehicle Dealers				P		P	P	P
44122	Motorcycle, Boat, and Other Motor Vehicle Dealers				P	P		P	P
4413	Automotive Parts, Accessories, and Tire Stores								
442	Furniture and Home Furnishings Stores			P	P		P	P	P
443	Electronics and Appliance Stores		P	P	P		P	P	P
444110	Home Centers				P		P	P	P
444120	Paint and Wallpaper Stores			P	P		P	P	P

444130	Hardware Stores		P	P	P		P	P	P
44419	Other Building Material Dealers		P	P	P	P	P	P	P
4442	Lawn and Garden Equipment and Supplies Stores								
445	Food and Beverage Stores		P	P	P	P	P	P	P
446	Health and Personal Care Stores		P	P	P	P	P	P	P
44711	Gasoline Stations with Convenience Stores		P	P	P		P	P	P
44719	Other Gasoline Stations				P ⁵		P ⁵	P ⁵	P ⁵
448	Clothing and Clothing Accessories Stores		P	P	P	P	P	P	P
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores		P	P	P	P	P	P	P
4521	Department Stores								
452210					P		P	P	P
452910	Warehouse Clubs and Supercenters								
452311									
452990	All Other General Merchandise Stores		P	P	P	P	P	P	P
452319									
4531	Florists								
4532	Office Supplies, Stationery, and Gift Stores								
4533	Used Merchandise Stores		P	P	P	P	P	P	P
45391	Pet and Pet Supplies Stores								
45392	Art Dealers								

45393	Manufactured (Mobile) Home Dealers					P	P	P
453991	Tobacco Stores		P	P	P	P	P	P
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)		P	P	P	P	P	P
4541	Electronic Shopping and Mail-Order Houses		P	P	P		P	P
454210	Vending Machine Operators			P ¹⁸	P		P	P
454310	Fuel Dealers						P	P
454390	Other Direct Selling Establishments			P	P		P	P
48-49	Transportation and Warehousing							
481	Air Transportation						P	P
482	Rail Transportation							P
483	Water Transportation	**						
484	Truck Transportation						P ⁶	P ⁶
4851	Urban Transit Systems				P		P	P
4852	Interurban and Rural Bus Transportation							
48531	Taxi Service			P	P		P	P
48532	Limousine Service			P	P		P	P
48541	School and Employee Bus Transportation				P		P	P
48551	Charter Bus Industry				P		P	P
485991	Special Needs Transportation			P	P		P	P
485999	All Other Transit and Ground Passenger Transportation			P	P		P	P

486	Pipeline Transportation	**						
487	Scenic and Sightseeing Transportation		P	P		P	P	P
4881	Support Activities for Air Transportation					P	P	P
4882	Support Activities for Rail Transportation							P
4883	Support Activities for Water Transportation	**						
488390	Other Support Activities for Water Transportation		P	P		P	P	P
4884	Support Services for Road Transportation			C		P	P	P
4885	Freight Transportation Arrangement (Office Only)		P	P		P	P	P
4885	Freight Transportation Arrangement						p ⁶	p ⁶
488991	Packing and Crating					C	P	P
488999	All Other Support Activities for Transportation					C	P	P
491	Postal Service			P		P	P	P
492110	Couriers and Express Delivery Services					P	P	P
492210	Local Messengers and Local Delivery			P		P	P	P
493	Warehousing and Storage						p ⁶	p ⁶
493190	Other Warehousing and Storage						p ¹⁷	p ¹⁷
51	Information							
511	Publishing Industries (except Internet)		C	P		P	P	P
512110	Motion Picture and Video Production					P	P	P
512120	Motion Picture and Video Distribution					P	P	P

512131	Motion Picture Theaters (except Drive-Ins)			P	P		P	P	P
512132	Drive-In Motion Picture Theaters						P	P	P
512191	Tele-production and Other Postproduction Services			P	P		P	P	P
512199	Other Motion Picture and Video Industries			P ¹⁸	€ P ¹⁸		P	P	P
512210	Record Production			P	P		P	P	P
512220	Integrated Record Production/Distribution						P	P	P
51223	Music Publishers								
51224	Sound Recording Studios			P	P		P	P	P
51229	Other Sound Recording Industries								
515	Broadcasting (except Internet)			P	P		P	P	P
517	Telecommunications			P	P		P	P	P
518	Data Processing, Hosting, and Related Services			P	P		P	P	P
519	Other Information Services			P	P		P	P	P
52	Finance and Insurance								
521	Monetary Authorities-Central Bank			P	P		P	P	P
522	Credit Intermediation and Related Activities			P	P		P	P	P
523110	Investment Banking and Securities Dealing			P	P		P	P	P
523120	Securities Brokerage			P	P		P	P	P
523130	Commodity Contracts Dealing		P	P	P		P	P	P
523140	Commodity Contracts Brokerage			P	P		P	P	P

523210	Securities and Commodity Exchanges			P	P		P	P	P
523910	Miscellaneous Intermediation		P	P	P		P	P	P
523920	Portfolio Management		P	P	P		P	P	P
523930	Investment Advice			P	P		P	P	P
523991	Trust, Fiduciary, and Custody Activities		P	P	P		P	P	P
523999	Miscellaneous Financial Investment Activities			P	P		P	P	P
5241	Insurance Carriers			P	P		P	P	P
5242	Agencies, Brokerages, and Other Insurance Related Activities		P	P	P	P	P	P	P
52511	Pension Funds			P	P		P	P	P
52512	Health and Welfare Funds								
52519	Other Insurance Funds		P	P	P		P	P	P
5259	Other Investment Pools and Funds								
53	Real Estate Rental and Leasing								
531	Real Estate		P	P	P	P	P	P	P
532111	Passenger Car Rental			P	P		P	P	P
532112	Passenger Car Leasing			P	P		P	P	P
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing				P		P	P	P
532210	Consumer Electronics and Appliances Rental			P	P		P	P	P
53222	Formal Wear and Costume Rental		P	P	P	P	P	P	P

532281								
53223 532282	Video Tape and Disc Rental							
532291 532283	Home Health Equipment Rental							
532292 532284	Recreation Good Rental							
532299 532289	All Other Consumer Goods Rental			P	P		P	P
532310	General Rental Centers			P	P		P	P
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing						P	P
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing				P ⁷		P	P
532420	Office Machinery and Equipment Rental and Leasing			P	P		P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing			C	P		P	P
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)		P	P	P		P	P
54	Professional, Scientific, and Technical Services							
5411	Legal Services							
541211	Offices of Certified Public Accountants		P	P	P		P	P
541213	Tax Preparation Services							

541214	Payroll Services							
541219	Other Accounting Services							
54131	Architectural Services							
54132	Landscape Architectural Services							
54133	Engineering Services	P		P		P	P	P
54134	Drafting Services							
54135	Building Inspection Services							
54136	Geophysical Surveying and Mapping Services							
50137	Surveying and Mapping (except Geophysical) Services							
541380	Testing Laboratories			P		P	P	P
5414	Specialized Design Services							
5415	Computer Systems Design and Related Services			P	P		P	P
5416	Management, Scientific, and Technical Consulting Services							
541711 541713	Research and Development in Biotechnology						P	P
541712 541713	Research and Development in the Physical, Engineering, and Life Sciences, and {except Biotechnology}						P	P
54172	Research and Development in the Social Sciences and Humanities			P	P		P	P
5418	Advertising, Public Relations, and Related Services							

54191	Marketing Research and Public Opinion Polling							
541921	Photography Studios, Portrait		P	P	P	P	P	P
541922	Commercial Photography			C	P		P	P
541930	Translation and Interpretation Services			P	P		P	P
541940	Veterinary Services		P ⁸	P ⁸	P ⁸		P	P
541990	All Other Professional, Scientific, and Technical Services			P	P		P	P
55	Management of Companies and Enterprises			P	P		P	P
56	Administrative and Support, Waste Management, and Remediation Services							
5611	Office Administrative Services							
5612	Facilities Support Services			P	P		P	P
5613	Employment Services							
5614	Business Support Services							
561510	Travel Agencies		P	P	P	P	P	P
56152	Tour Operators							
56159	Other Travel Arrangement and Reservation Services			P	P		P	P
56161	Investigation, Guard, and Armored Car Services							
561621	Security Systems Services (except Locksmiths)							
561622	Locksmiths		P	P	P	P	P	P
561710	Exterminating and Pest Control Services		P	P		P	P	P
561720	Janitorial Services		P	P	P		P	P

561730	Landscaping Services			P	P		P	P	P
561740	Carpet and Upholstery Cleaning Services			P	P		P	P	P
561790	Other Services to Buildings and Dwellings		P	P	P		P	P	P
5619	Other Support Services				P		P	P	P
562111	Solid Waste Collection							P	P
562112	Hazardous Waste Collection								C
562119	Other Waste Collection							P	P
5622	Waste Treatment and Disposal								C
5629	Remediation and Other Waste Management Services						P	P	P
61	Educational Services								
6111	Elementary and Secondary Schools								
6112	Junior Colleges		P	P	P		P	P	P
6113	Colleges, Universities, and Professional Schools								
611410	Business and Secretarial Schools			C	C		P	P	P
61142	Computer Training								
61143	Professional and Management Development Training								
611511	Cosmetology and Barber Schools			P	P		P	P	P
611512	Flight Training								
611513	Apprenticeship Training								
611519	Other Technical and Trade schools			P ⁹	P ⁹		P	P	P

6116	Other Schools and Instruction			P	P		P	P	P
6117	Educational Support Services								
62	Health Care and Social Assistance								
6211	Office of Physicians								
6212	Office of Dentists		P	P	P		P	P	P
6213	Office of Other Health Practitioners								
621410	Family Planning Centers			C	P		P	P	P
621420	Outpatient Mental Health and Substance Abuse Centers			C	P		P	P	P
621491	HMO Medical Centers			P	P		P	P	P
621392	Kidney Dialysis Centers								
621493	Free Standing Ambulatory Surgical and Emergency Centers								
621498	All Other Outpatient Care Centers			C	P		P	P	P
6215	Medical and Diagnostic Laboratories								
6216	Home Health Care Services								
6219	Other Ambulatory Health Care Services								
622	Hospitals			C	P		P	P	P
623110	Nursing Care Facilities (Skilled Nursing Facilities)		P	P	P		P	P	P
623210	Residential Intellectual and Developmental Disability Facilities		P	P	P		P	P	P
623220	Residential Mental Health and Substance Abuse Facilities				P		P	P	P

623311	Continuing Care Retirement Communities		P	P	P		P	P	P
623312	Assisted Living Facilities for the Elderly				P		P	P	P
62399	Other Residential Care Facilities				P		P	P	P
624	Social Assistance				P		P	P	P
624410	Child Day Care Services		P	P	P		P	P	P
71	Arts, Entertainment, and Recreation								
7111	Performing Arts Companies			P	P		P	P	P
711211	Sports Teams and Clubs								
711212	Racetracks	**							
711219	Other Spectator Sports								
7113	Promoters of Performing Arts, Sports, and Similar Events			P	P		P	P	P
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures								
7115	Independent Artists, Writers, and Performers								
712	Museums, Historical Sites, and Similar Institutions			P	P		P	P	P
71311	Amusement and Theme Parks			P	P		P	P	P
713120	Amusement Arcades			P ₁₀	P ₁₀		P ₁₀	P ₁₀	P ₁₀
7132	Gambling Industries	**							
71391	Golf Courses and Country Clubs			P	P		P	P	P
71392	Skating Facilities								

71393	Marinas	**							
71394	Fitness and Recreational Sports Centers		P	P	P		P	P	P
71395	Bowling Centers								
713990	All Other Amusement and Recreation Industries except shooting range and slot machines.			P 11	P 11		P 11	P 11	P 11
72	Accommodation and Food Services								
721110	Hotels (except Casino Hotels) and Motels			P 12	P 12		P 12	P 12	P 12
721120	Casino Hotels	**							
721191	Bed-and-Breakfast Inns		P	P	P	P	P	P	P
721199	All Other Traveler Accommodation	**							
721211	RV (Recreational Vehicle) Parks and Campgrounds	**							
721214	Recreational and Vacation Camps (except Campgrounds)								
721310	Rooming and Boarding Houses		P	P	P	P	P	P	P
722310	Food Service Contractors			P	P		P	P	P
722320	Caterers			P	P		P	P	P
722330	Mobile Food Services				P		P	P	P
722410	Drinking Places (Alcoholic Beverages)			P	P	P	P	P	P
7225	Restaurants and Other Eating Places		P	P	P		P	P	P
81	Other Services, except Public Administration								
8111	Automotive Repair and Maintenance (except Truck Repair)			P 15	P 15		P 15	P 15	P 15

8111	Automotive Repair and Maintenance (Truck Repair)					P ₁₅	P ₁₅	P ₁₅
811211	Consumer Electronics Repair and Maintenance		P	P	P		P	P
811212	Computer and Office Machine Repair and Maintenance			P	P		P	P
811213	Communication Equipment Repair and Maintenance		P	P	P		P	P
811219	Other Electronic and Precision Equipment Repair and Maintenance		P	P	P		P	P
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance						P	P
811411	Home and Garden Equipment Repair and Maintenance			P	P		P	P
811412	Appliance Repair and Maintenance							
81142	Reupholstery and Furniture Repair							
81143	Footwear and Leather Goods Repair		P	P	P		P	P
81149	Other Personal and Household Goods Repair and Maintenance							
8121	Personal Care Services		P	P	P	P	P	P
81221	Funeral Homes and Funeral Services							
812220	Cemeteries and Crematories		P ₁₃					
812310	Coin-Operated Laundries and Drycleaners		P	P	P	P	P	P
812320	Dry Cleaning and Laundry Services (except Coin-Operated)		P	P	P	P	P	P
812331	Linen Supply			P ¹⁸	P		P	P

812332	Industrial Launderers						P	P
812910	Pet Care (except Veterinary) Services		C 14	C 14	C 14		C 14	C 14
812921	Photofinishing Laboratories (except One-Hour)				P		P	P
812922	One-Hour Photofinishing				P		P	P
812930	Parking Lots and Garages			C 16	P 16		P 16	P 16
812990	All Other Personal Services			C	P		P	P
813110	Religious Organizations		P	C	P		P	P
8132	Grantmaking and Giving Services		P	P	P		P	P
8133	Social Advocacy Organizations							
8134	Civic and Social Organizations							
81391	Business Associations							
81392	Professional Organizations			C	P		P	P
81393	Labor Unions and Similar Labor Organizations							
81394	Political Organizations							
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)		C	C	C	C	P	P
92	Public Administration			P	P		P	P
	Parking ramps and structures		P	C	P	C		
	Commercial/Ind. PUD (ref. to Section 106-636)		C	C	C	C	C	C
	Outdoor sales as accessory use			P	P			

Outdoor storage as accessory use			P	P				
Off-site parking		C	C	C	C			
Unlisted uses, similar to uses listed above		C	C	C	C	C	C	C

Footnotes:
** Non-classified use categories.
1 Within the overlay portion, residential activities are only allowed above the first floor.
2 Single family detached prohibited in main street overlay zone, but permitted in main street district.
3 Artisan shops are allowed (see Section 106-480 (Artisan Shop), 106-500 (Artisan Shop), 106-514 (Artisan Shop)).
4 No storage or sale of fire works.
5 Truck Stop shall only be permitted in Business Industrial districts on truck routes along Barbour's Cut Boulevard, State Hwy 225 and State Highway 146 (north of Barbour's Cut Blvd). No construction of any kind shall be permitted within setbacks for BI zone.
6 Must be adjacent to high frequency truck roads as shown on High Frequency Truck Road Map (Ref. Section 106-746).
7 Only allowed along State Highway 146.
8 Livestock prohibited on premises.
9 Truck schools prohibited.
10 Refer to Chapter 10 of the Code of Ordinances (must be at least 300 feet from church, school, or

hospital & measured from property line to property line).
11 Shooting range is a conditional use.
12 Hotels and Motel Uses. Hotels and motels are allowed as a conditional use under this Chapter when within 250 feet of residential zoned properties (R-1, R-2, R-3, MH, and LL zoning districts). All hotel and motels are required to install and operate a security and surveillance system to monitor the parking lot area and all ingress/egress points to the buildings.
13 Crematories prohibited.
14 Dog grooming. There shall be no overnight boarding of animals. All areas used for holding animals shall be located within the same building in which grooming activities take place.
15 No vehicle may be parked outside for longer than two weeks.
16 Parking of commercial motor vehicles, including truck tractors not in combination with trailers, prohibited.
17 Automobile dead storage must be fully contained within an enclosed building. Use must be located adjacent to high frequency truck roads as shown on High Frequency Truck Route Map
18 Proposed use must be located on a parcel that is no greater than 1.5 acres and building and/or buildings where use is located may not exceed 15,000 sq. ft. Uses shall not be permitted in the Main Street Overlay.
All permitted uses in commercial and industrial zones must meet the following minimum performance standards. If requested by the enforcement officer, all applications for building permits must include a certification from a registered engineer that verifies compliance with these performance standards. Where applicable, all permitted uses in industrial zones must meet and be in compliance with the appropriate federal, state, or local regulations.
A. <i>Lighting and glare.</i> Any lighting used shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed onto any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one footcandle (meter reading) as measured from the centerline of such street. Any light or combination of lights which casts light on residential property shall not exceed 0.4 footcandles (meter

reading) as measured from such property.

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

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

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

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

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

G. *Noise.* All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

Octave Band Frequency	Maximum Sound Levels - Decibels	
	Lot Line	Residential District Boundary
Cycles per Second		
20 to 75	78	63
75 to 150	74	59
150 to 300	68	55
300 to 600	61	51
600 to 1,200	55	45
1,200 to 2,400	49	38

2,400 to 4,800	43	31
Above 4,800	41	25
Impact noise	80	55
Between the hours of 10:00 P.M. and 6:00 A.M. the permissible sound levels beyond residential district boundaries (both Column II and Impact) shall be six decibels less than shown above.		
In distances where it is determined that a proposed land use may generate a level of noise that will impact on surrounding land uses, the planning and zoning commission and city council may require that efforts to reduce the potential noise impact be undertaken. These efforts may include screening and landscaping techniques.		
H. <i>Hours of Operation.</i> Hours of operation are limited for truck stops adjacent to residential areas only. The facility shall only operate during the hour of 6:00 a.m. to 9:00 p.m. and no overnight facilities are allowed on the premises.		

([Ord. No. 2016-3631, § 6](#), 5-23-16; Ord. No. 2017-3674, § 2, 4-24-17; Ord. No. 2017-3688, § 1, 12-11-17)

Sec. 106-311. - Visibility triangle

- (1) Visibility triangles are applicable to all zone districts, with the exception of the Main Street Overlay.
- (2) Structures, fencing, sign faces, and branches and foliage of any shrub, ground cover or tree, are not permitted within the visibility triangle.
- (3) The city may cause removal of any impediment that represents a traffic safety hazard within the visibility triangle.

Secs. 106-312—106-330. - Reserved.

DIVISION 2. - RESIDENTIAL DISTRICT REGULATIONS

Subdivision I. - Generally

Sec. 106-331. - Table A, residential uses.

P (abc)—Permitted uses (subject to designated criteria established in section 106-334 (Special use performance standards; residential)).

P—Permitted uses.

A—Accessory uses (subject to requirements of section 106-741 (General provisions)).

C—Conditional uses (subject to requirements of sections 106-216 (General conditions for all conditional uses in all zoning districts), 106-217 (Conditions for approval), and 106-218 (Amendments) and designated criteria established in section 106-334 (Special use performance standards; residential) as determined by the planning and zoning commission).

*—Not allowed.

Uses (NAICS Code #)	Zones				
	R-1	R-2	R-3	MH	LL
Agriculture, Forestry, Fishing and Hunting (111110-111199)	P	P	P	P	P
Agricultural production, (animal specialties - breeding or sale)	C	*	*	*	C
Bed and breakfast as defined by section 106-1 (Definitions) (721191)	C(h)	C(h)	C(h)	*	C(h)
All other animal production, limited to dogs and cats, on residential large lot I (112990)	A	A	C	C	A
Pet care (except veterinary) services, limited to boarding kennels only (812910)	*	*	*	*	P
Domestic livestock-With an existing principal structure on the property (cattle, horses, hogs , swine, sheep, goats, chickens, and geese)— Single-family residential, large lot	A	A	A	A	A
Domestic livestock—Without an existing principal structure on the property (permitted in large lot district, but only if tract is one acre in size or greater) including cattle, horses, hogs , swine, sheep, goats, chickens, and geese	*	*	*	*	P
Industrialized housing on a permanent foundation	P	P	P	P	P
Single-family dwelling, detached	P	P	P	P	P
Single-family dwelling, special lot	*	P	P	P	*
Single-family dwellings, zero lot line (patio homes, etc.)	*	P	P	*	*

Duplexes, double bungalows (two-family dwelling units)	*	P	P	*	*
Townhouses/Condominium	*	P(I)	P(I)	*	*
Conversion of single-family dwellings to duplexes (or no more than two-family dwellings)	*	P	P	*	*
Tri-plexes and quadraplexes (three and four-family dwelling units)	*	P(I)	P(I)	*	*
Multi-family (more than four dwelling units)	*	*	P(I)	*	*
3—4 unit multi-family dwellings	*	P	P	*	*
Multi-family (over 4 units)	*	*	P	*	*
Modular housing on a permanent foundation system section 106-1 (Definitions)	P	P	P	P	P
Manufactured housing subdivisions restricted to H.U.D. certified mobile homes; min. width 20 feet, min. shingled roof pitch 3:12, permanent foundation system; siding similar to surrounding residential	*	C(a)	C(a)	P(a)	*
Manufactured housing subdivisions (restricted to H.U.D. certified mobile homes on permanent foundation systems)	*	C(a)	*	*	
Manufactured housing parks	*	*	*	P (a,d,f)	*
Manufactured housing	*	*	*	P	*
Group care facilities providing food and shelter to persons who are unrelated to the proprietor of the establishment (623)					
3 or less persons	P (j)	P (j)	P (j)	P (j)	P (j)
4 or more persons	P (k)	P (k)	P (k)	P (k)	P (k)
Childcare home in private home (services no more than 6)	P	P	P	P	P

Daycare centers (services more than 6) (624410)	*	P	P	P	*
Freestanding on-premises identification sign; townhouses, multi-family developments, group care facilities (not located within a residential neighborhood), subdivisions, education and religious facilities	See article VII of this chapter				
Residential PUD (refer to section 106-636 (Planned unit development procedures))	*	C	C	C	*
Public parks and playgrounds	P	P	P	P	P
Recreational buildings and community centers	C	P	P	P	C
Religious institutions (813110)	C	P (AB)	P (AB)	P (AB)	C
Public or private educational institutions limited to elementary, junior and senior high (611110)	C	P	P	P	C
Junior colleges and technical institutes (611210 and 6115)	*	C	P	*	*
Boarding homes (721310)	*	P	P	*	*
Civic, social and fraternal organizations (8134)	*	*	C	*	*
Convalescent homes, sanitarium, nursing or convalescent homes	*	*	P	*	*
Private garages, carports and off-street parking (associated with residential uses)	A	A	A	A	A
Storage of equipment behind a screening device (permitted in large lot district, but only if tract is one acre in size or greater)	A	A	A	A	P
Storage of recreational vehicles or boats	A	A	A	A	A
Storage of equipment in an accessory building or behind a screening device	A	A	A	A	A
Home occupations	A	A	A	A	A

Noncommercial greenhouses	A	A	A	A	A
Noncommercial recreation facilities associated with residence	A	A	A	A	A
Noncommercial toolhouses, barns, sheds, storage buildings (associated with residence, except in large lot district for tracts one acre in size or greater)	A	A	A	A	P
Boarding or renting of rooms (1 person max.)	A	A	A	A	A
Off-street loading (refer to section 106-840 (Off-street loading requirements))	*	*	*	*	*
Off-street parking (refer to See article VI of this chapter)	A	A	A	A	A
Petroleum pipelines (restricted to existing pipeline corridors)	P	P	P	P	P
Residential density bonus, as provided in section 106-334(g) (Density bonus)	C	C	C	C	C
Secondary dwelling units	C	P	P	*	C
Yard Parking, as defined by section 106-334 (e) (Compatible alterations and adequate parking)	*	*	*	*	*

Sec. 106-332. - Interpretation and enforcement.

Property uses, except as provided for by section 106-331 (Table A, residential uses) are prohibited and constitute a violation of this chapter.

Sec. 106-333. - Table B, residential area requirements.

(a) *Table B, residential area requirements.*

Uses ⁸	Minimum Lot Area/D.U. S.F.	Minimum Lot Width L.F.	Minimum Yard Setbacks L.F. F.R.S. 2, 3, 4, 5, 6, 10, 11, 12, 13, 14	Maximum Height ¹⁵	Minimum Site Area/Unit S.F. ^{7, 16}	Minimum Development Open Space/ Unit S.F. ¹⁷	Maximum Lot Coverage/ Minimum Landscaping Required ^{9,}
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							18, 19
Single-family detached	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	—	40%/N/A
Single-family large lot	43560	90	25-15-5	45 Ft.	43560 1.0 DU/A	—	40%/N/A
Single-family special lot line, 0 lot line	4500	40	20-10-0	35 Ft.	7300 6.0 DU/A	Footnote # 1	60%/N/A
Duplexes	6000	60	25-20-20	45 Ft.	8.0 DU/A	Footnote # 1	60%/N/A
Single-family converted to multifamily	6000	50	20-10-5	35 Ft.	N/A	N/A	50%/N/A
Townhouses, quadraplexes (10,000 s.f of site area 100 ft. wide)	2000	20	25-20-20	45 Ft.	4400 10.0 DU/A	Footnote # 1	75%/25%
Multifamily	20000	100	25-20-20	45 Ft.	1600 14-20 DU/A	Footnote # 1	60%/25%
Manufactured housing	4500	40	20-10-5	25 Ft.	7300 6.0 DU/A	Footnote # 1	60%
Manufactured housing subdivision or parks (5 acre min.)		100 of front road frontage	N/A	N/A	N/A	N/A	N/A/N/A
State Licensed & Registered Child-	6000	50	25-15-5	35 Ft.	9100	N/A	40% / N/A

care homes (Max. 12 in private home; per TX Dept. of Family & Protective Services, Ch. 747)					4.8 DU/A		
Group care facilities—3 or less persons	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	N/A	40% / N/A
Public or private educational and religious institutions, large group care facilities, daycare centers, recreational buildings, boarding, and nursing homes			30-20-10	45 Ft.	N/A	N/A	N/A
Freestanding on-premises signs	See article VII of this chapter						
Large lot district where tract is one acre in size or greater (without existing principal structure) Accessory structure/domestic livestock	See section 106-416 (Special regulations)						

TABLE B FOOTNOTES

Lot Size	Required Developed Open Space/Lot
5000—6000 Sq. Ft.	200 Sq. Ft.
4000—4999 Sq. Ft.	300 Sq. Ft.
3000—3999 Sq. Ft.	400 Sq. Ft.
2000—2999 Sq. Ft.	500 Sq. Ft.

- a. Minimum size of developed open space: One-half acre for every 80 units or fraction thereof.
 - (i) For multi-family residential developments: Minimum of 25 percent of the total development regardless of size of development.
 - (ii) For townhouse/quadrplex developments: One-half acre for every 80 units or fraction thereof.
- b. All required developed open spaces must be operated and maintained by a homeowners association, subject to the conditions established in sections 106-676 (Property controls), 106-677 (Public services), 106-678 (Building height), and 106-679 (Roadways), with all documentation required to be submitted for filing in conjunction with the final plat. (See also the City Development Ordinance Number 1444, section 4.04 which is on file in the city secretary's office.)
- 2 A minimum landscape setback of 20 feet will be required adjacent to all conservation areas. Buildings, parking areas, and refuse containers will not be allowed in such setback area. These areas are to be landscaped with trees, shrubs, and groundcover, with a planting plan required to be submitted and approved by the enforcement officer.
- 3 The minimum setback adjacent to any utility easement located in a rear yard shall be three feet. No portion of any building including projections of any nature shall encroach into any utility easement or vertical projection of the easement boundary.
- 4 Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is only one adjacent structure, the front yard minimum setback shall be the average of the required setback and the setback of only one adjacent structure. In no case shall the minimum front yard setback exceed 30 feet.
- 5 All side yards adjacent to public R.O.W.'s not classified as freeway, arterial or collector must be five feet except accessory building (see Section 106-741). All side yards adjacent to public R.O.W's classified as freeway, arterial or collector must be 10 feet.
- 6 In the case of zero lot line housing, the side setback opposite the zero lot line must be ten feet.
- 7 D.U.A. is an abbreviation for dwelling units per acre, or the maximum density permitted.
- 8 All structures except slab on grade, shall be placed on a foundation system described as: An assembly of materials constructed below or partially below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external forces as defined by the City's Code of Ordinances or in the case of industrialized housing, the requirements of the TDLS. Such foundation system shall be skirted or enclosed with wood or masonry to give the appearance of a solid foundation, if one is not provided, compatible with the appearance of adjacent housing, and subject to the requirements of the City's Code of Ordinances.
- 9 See article V, division 4 of this chapter for additional requirements.
- 10 In the case of multi-family residential developments ~~with 50 or more units~~, said complexes must be located at least 1,000 feet from other multi-family residential developments ~~of 20 or more units~~.
- 11 Within the building setback, there must be a ten-foot opaque screen consisting of shrubs and fencing. (See section 106-334(i) (Additional multi-family regulations) for screening and fencing requirements.)

12	Residential developments that are townhouses, quadruplexes, or multi-family dwelling units must have a minimum of 25 percent landscaping.
13	Multi-family residential developments adjacent to single-family residential developments must establish a 25-foot buffer between the two developments. This buffer is in addition to the setback as established by this table.
14	In the case of multi-family residential developments, no off-street parking shall be placed within the required setback, or within the required additional 25-foot buffer when the development is situated adjacent to a single-family residential development. The space needed to meet the required parking spaces shall be exclusive of the required setback and the additional buffer.
15	In the case of multi-family residential developments being adjacent to single-family residential developments, the buildings within the multi-family residential developments that are directly adjacent to the single-family residential development shall be limited to two-stories in height. Buildings within the interior of the multi-family residential developments may be three-stories in height.
16	Multi-family residential developments cannot exceed 180 dwelling units must contain a minimum of 100 units with a maximum of 300 units, per development.
17	See section 106-334(i)(3) for open space utilization criteria.
18	Following structures exempted from 40 percent lot coverage on single-family detached: Accessory buildings 200 s.f. or less and patio covers up to 900 s.f.
19	Maximum lot coverage for single-family detached in planned unit development (PUD) zoning district or residential subdivisions requiring a detention/drainage system, shall be 50 percent.
(The impervious cover factor of 55 percent for the total site for drainage, as prescribed in PICM, remains in effect.)	

(2) *Large lot residential only.* Accessory buildings in single-family residential large lots with one acre or more may not exceed 5,000 square feet of floor area. Accessory buildings with a floor area in excess of 1,000 square feet must be located at least 10 feet from any property line and 20 feet from other structures. All accessory buildings on lots less than one acre - all provisions of this section apply.

- (f) No more than one detached private garage or carport structure on lots less than one acre with single family dwelling.
- (g) Wind generators, for producing electricity or other forms of energy shall not be located in any yards other than the rear yard and must be set back 150 feet from all property lines or the height of the structure, whichever is greater unless a special conditional use permit (SCUP) is granted. Provisions of SCUP should take into consideration size, height, noise, location to adjacent properties, etc.
- (h) Reserved.
- (i) No accessory uses or equipment except for air conditioning structures or condensers may be located in a required side yard except for side yards abutting streets where equipment is fully screened from view.
- (j) *Large lot district.* The property owner of a toolhouse, barn, shed, storage building and/or livestock in the large lot district on a tract one acre in size or larger authorized without a principal structure on the property, shall be responsible for ensuring no one lives in the toolhouse, barn, shed, or storage building without properly permitting the structure for residential habitation, the property is kept in a sanitary condition and the property complies with all applicable city regulations.

Sec. 106-742. - Domestic livestock.

- (a) Domestic livestock (cattle, horses, ~~hogs~~, swine, sheep, goats, chickens, and geese) are a permitted accessory use on lots in excess of one acre (43,560 square feet), provided that all domestic livestock

as defined above be restrained by a properly constructed and maintained fence no closer than five feet from property that is not devoted to the keeping of domestic livestock or by a perimeter property (exterior) fence of such construction so as to be impenetrable by livestock and to prevent intrusion into neighboring residential properties, and provided further that said domestic livestock be kept in a concentration that is less than or equal to:

- (1) Two cows per acre.
- (2) Two horses per acre.
- (3) Two ~~hogs~~ swine per acre.
- (4) Two sheep or goats per acre.

Plus one head for each additional one-half acre of land on the same parcel.

- (b) In any event, the total for the above referenced grazing animals (i.e. sheep, goats, ~~hogs~~, swine, cows, or horses) shall be cumulative. In the event of fowl or recreational livestock in the large lot uses, no specific concentration is established herein, but in no event, shall the cumulative concentration of fowl grazing or recreational livestock be such as to create a health hazard or nuisance. The requirements of section 34-126 et seq. shall apply in any event.
- (c) The keeping of livestock or fowl for the purpose of breeding, commercial feeding or sale, whether engaged in as a primary or accessory activity, shall be considered a conditional use as specified by section 106-331 (Table A, residential uses).
- (d) Large lot district only.
 - (1) Recreational livestock is a permitted accessory use kept on tracts of contiguous land (under one ownership) totaling one acre in size or larger.
 - c. The maximum width of a carport located in a required front or side yard shall be 25 feet.
 - (5) *Recreational areas, facilities and open space.* Trails, playgrounds. and detention areas located within multi-family residential developments are permitted provided they do not encroach into any utility easement.

([Ord. No. 2016-3631, § 10](#) , 5-23-16)

Sec. 106-772. - Height requirements.

The building height limits established in this chapter for distances shall not apply to the following except if they are located within an airport height restriction area:

- (1) Belfries;
- (2) Chimneys or flues;
- (3) Church spires, not exceeding 20 feet above roof;
- (4) Cooling towers;
- (5) Cupolas and domes which do not contain usable space;
- (6) Elevator penthouses;
- (7) Flagpoles;
- (8) Monuments;
- (9) Parapet walls extending not more than three feet above the limiting height of the building;
- (10) Water towers;
- (11) Poles, towers, and other structures for essential services;

- (12) Necessary mechanical and electrical appurtenances;
- (13) Television and radio antennas not exceeding 20 feet above roof;
- (14) Wind electrical generating equipment;
- (15) Heavy industrial (HI) facilities, with a special conditional use permit. See section 106-310 (Table A, commercial and industrial uses) and section 106-522 (Table B, industrial area requirements).

Sec. 106-773. - Exterior storage.

In residential zones, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and any public right-of-way, except for the following:

- (1) Clothesline poles and wires;
- (2) Construction and landscaping material currently being used on the premises;
- (3) Off-street parking of passenger vehicles and light trucks, as defined in this chapter;
- (4) Firewood, compost, or residential lawn and garden tools;
- (5) Portable Storage containers that are less than 175 sq. ft. in area, may be permitted on an improved surface for up to 30 days. Use of said storage container in excess of 30 days, requires approval by the Planning and Development Director.

([Ord. No. 2015-3588, § 2](#) , 7-13-15)

([Ord. No. 2016-3631, § 11](#) , 5-23-16)

Sec. 106-836. - Maintenance.

It shall be the joint and several responsibility of the lessee and owner of the principal use, uses or building to maintain, in a neat and adequate manner, the parking spaces, access ways, striping, landscaping, and required fences.

Sec. 106-837. - Location.

All accessory off-street parking facilities required by this chapter shall be located and restricted as follows:

- (1) Required accessory off-street parking shall be on the same lot under the same ownership as the principal use being served, except under the provisions of subsections 106-444(e) and (f) (Commercial use performance standards).
- (2) Except for single-family, two-family and townhouse dwellings, head-in parking, directly off of and adjacent to a public street, with each stall having its own direct access to the public street, shall be prohibited.
- (3) There shall be no off-street parking within 15 feet of any street surface.
- (4) The boulevard portion of the street right-of-way shall not be used for parking.
- (5) Setback area. Required accessory off-street parking shall not be provided in front yard setbacks or in side yard setbacks in the case of a corner lot, in R-1 and R-2 districts.
- (6) In the case of single-family, two-family, and townhouse dwellings, parking shall be prohibited in any portion of the front yard except designated driveways or one open, surfaced space located on the side of a driveway, away from the principal use. Such extra space shall be surfaced with

concrete or bituminous material, with the exception of those properties in the Large Lot District which may be unpaved.

Sec. 106-838. - Use of required area.

Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles as regulated by the junk vehicle requirements in section 34-166 et seq.

Sec. 106-839. - Number of spaces required.

The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. Such required parking shall include the required number of handicapped parking spaces as regulated by the city building code, and the City's Code of Ordinances.

201 2 7 NAICS Code	201 2 7 NAICS Title	MINIMUM NUMBER OF REQUIRED PARKING SPACES (combination)
23	General Contractors	4 Minimum plus 1 per 1,000 s.f.