

HAL LAWLER
Chairman
DONNA O'CONNER
Commissioner At Large A
NICK BARRERA
Commissioner At Large B
TREY KENDRICK
Commissioner District 1
RICHARD WARREN
Commissioner District 2
Vice Chairman



JAMES WALTER
Commissioner District 3
MARK FOLLIS
Commissioner District 4
LOU ANN MARTIN
Commissioner District 5
CHRISTINA TSCHAPPAT
Commissioner District 6

**LA PORTE PLANNING AND ZONING COMMISSION AGENDA
THURSDAY, OCTOBER 15, 2020
REGULAR SESSION 6 P.M.**

**CITY COUNCIL CHAMBER
LA PORTE CITY HALL, 604 WEST FAIRMONT PARKWAY, LA PORTE, TEXAS, 77571**

Social Distancing protocols will be in effect in the Council Chambers. To attend remotely, join the Zoom meeting online at <https://us02web.zoom.us/j/82522700487?pwd=eThhcVRBShIyeFpQTklwL0dGUGsyQT09> and use password 234224. To dial in, call 877-853-5257 or 888-475-4499 and use the meeting ID 825 2270 0487, password 234224

-
1. **CALL TO ORDER**
 2. **ROLL CALL OF MEMBERS**
 3. **PUBLIC COMMENT** (Generally limited to five (5) minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)
 4. **CONSIDER APPROVAL OF THE MEETING MINUTES:**
 - a. Approve the minutes of the meeting held on August 20, 2020.
 5. **ZONE CHANGE #20-92000001:** Open a public hearing on a request for approval of Zone Change Request #20-92000001 by Charles Anders of Bayway Homes Inc., applicant; on behalf of Jack McCoy and Bayway Homes Inc., owners; for approval of a zone change from High Density Residential (R-3) to Planned Unit Development (PUD), on a 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned Alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW, Harris County, La Porte, TX.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (Limited to 5 minutes per person)
 - d. Question and Answer
 6. **ADJOURN PUBLIC HEARING**
 7. **CONSIDERATION:** Consider approval or other action on Zone Change Request #20-92000001.
 8. **SCUP REQUEST #20-91000001:** Open a public hearing on a request for approval of Special Conditional Use Permit (SCUP) #20-91000001 by Charles Anders of Bayway Homes Inc., applicant;

on behalf of Jack McCoy and Bayway Homes Inc., owners; for approval of a SCUP to allow for a mixed residential development, on a 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW, Harris County, La Porte, TX.

- a. Staff Presentation
- b. Applicant Presentation
- c. Public Comments (Limited to 5 minutes per person)
- d. Question and Answer

9. ADJOURN PUBLIC HEARING

10. CONSIDERATION: Consider approval or other action on SCUP Request #20-91000001.

11. CONSIDERATION AND POSSIBLE ACTION

- a. Consider approval of an extension of time for Special Conditional Use Permit (SCUP) #19-91000006.

12. DISCUSSION ITEM

- a. Discussion on possible expansion of the High Frequency Truck Route (HFTR) along W. M St. west of S. 16th St. within the Port Crossing Commerce Center.

13. ADMINISTRATIVE REPORTS

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

15. ADJOURN

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5021) two (2) working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda

CERTIFICATION

I do hereby certify that a copy of the **October 15, 2020** Planning and Zoning Commission agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

_____ Title: _____

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____

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



October 15, 2020

AGENDA ITEM 4

Consider approval of the Meeting Minutes:

- a. August 20, 2020

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

HAL LAWLER
Chairman
DONNA O'CONNER
Commissioner At Large A
NICK BARRERA
Commissioner At Large B
TREY KENDRICK
Commissioner District 1
RICHARD WARREN
Commissioner District 2
Vice Chairman



JAMES WALTER
Commissioner District 3
MARK FOLLIS
Commissioner District 4
LOU ANN MARTIN
Commissioner District 5
CHRISTINA TSCHAPPAT
Commissioner District

MINUTES OF THE REGULAR MEETING OF THE LA PORTE PLANNING AND ZONING COMMISSION August 20, 2020

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, August 20, 2020, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Commissioners present: Nick Barrera, Richard Warren, Mark Follis, James Walter, Hal Lawler, Donna O'Conner, Christina Tschappat, Trey Kendrick and Lou Ann Martin (*Remotely*)

Commissioners absent: Chairman Lawler

City Staff present: Teresa Evans, Planning and Development Director; Ian Clowes, City Planner; Chase Stewart, Planning Technician

1. **CALL TO ORDER** – Commissioner Kendrick called the meeting to order at 6:01 p.m.
2. **ROLL CALL OF MEMBERS:** – Chairman Lawler was absent for the meeting.
3. **CITIZEN COMMENT** (*Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.*)

No Comment.

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

- a. Approve the minutes of the meeting held on July 16, 2020.

Commissioner O'Conner moved to approve the meeting minutes; the motion was adopted, 8-0.

5. **REPLAT #20-97000006:** Open a public hearing on a request for approval of Residential Replat @#20-97000006 by Charles Anders of Bayway Homes Inc. for the proposed Sylvan Beach Enclave Section 1, a 2.11 acre replat located at the 1300 block of Oregon St. and legally described as the south 20.32' of Lots 3 and 30, all of Lots 4-29, in Block 1160, of The Town of La Porte, a Subdivision recorded in Volume 60, Page 112, of the Deed Records of Harris County, La Porte, Texas.

Commissioner Warren moved to approve the proposed replat; the motion was adopted, 8-0

6. **ADMINISTRATIVE REPORTS:** City Planner Ian Clowes informed the Commission there were no submitted public hearing items for a September 17th Planning and Zoning Commission meeting.

7. **BOARD COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies:

- a. Commissioner Follis spoke about having the commission be more proactive and would like to start looking at possible areas around the city that could benefit from rezoning.
- b. Commissioner Martin spoke about real estate/development through-out the City of La Porte from a professional stance, outside of the Commission.

ADJOURN – Without objection. Meeting adjourned at 6:23 PM

Trey Kendrick, Planning and Zoning Commission Secretary

Hal Lawler, Planning and Zoning Commission Chairman

Chase Stewart, Planning Technician

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



October 15, 2020

AGENDA ITEMS 5-7

Zone Change Request #20-92000001

A request by Bayway Homes Inc., applicant; on behalf of Jack McCoy, Noah M. Jones, and Bayway Homes Inc., owners; for approval of a zone change from High Density Residential (R-3) to Planned Unit Development (PUD), on a 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW.

***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 High Density Residential (R-3) to the Planned Unit Development (PUD) zoning district; on approximately 5.798 acres of land, legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW?

DISCUSSION

Location:

The subject site is located at the 1300 Blocks of S. Broadway St. and Oregon St.

Background Information:

The property is currently undeveloped. The applicant would like to develop the site for a mixed single family residential and duplex development. In order to allow the proposed development, the site must be rezoned to Planned Unit Development (PUD) in addition to the approval of a Special Conditional Use Permit (SCUP). The proposed SCUP will allow for a number of possible conditions and variances dealing mostly with lot size, setbacks, and driveway separation.

This proposal was original recommended for denial by the Commission at their May meeting, and ultimately denied by Council. Since that time, the applicant has obtained approval of a replat for the portion of the project along Oregon St. The replat consists of 6 lots all in excess of the minimum single family residential requirements. The lots fronting Oregon St. will be developed as standalone single family residences, with the remainder of the land along Broadway being developed with duplexes.

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-3, High Density Residential	Churchill Place Apartments
South	R-3, High Density Residential	Single Family Residential
West	MH, Manufactured Housing	COLP Recreation Center
East	R-3, High Density Residential	Single Family Residential

Planning and Zoning Commission Regular Meeting
 October 15, 2020
 Zone Change #20-92000001

The site is currently identified as Mid-High Density Residential in the Future Land Use Map. The current future land use designation is in line with the proposed development and would not need to be amended at this time. .

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 duplex development on this site would be consistent with the development patterns in the area and would act as a transitional development between the apartments to the north and the single family residential to the south and east.
2. *Access.* There is sufficient existing right-of-way access along S. Broadway St. and Oregon St.
3. *Utilities.* Water and sewer services are available along S. Broadway St. and Oregon 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 zone change would be consistent with adjacent properties.
Conformance of a zoning request with the land use plan.	The proposed zone change will be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed zone change to PUD with an underlying land use of Mid-High Density Residential would be consistent with current zoning along this section of S. Broadway.
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 residential uses would be suitable for this site.
The extent to which the proposed use designation would adversely	The proposed zone change will have minimal impact on the traffic along S. Broadway St.

Planning and Zoning Commission Regular Meeting
 October 15, 2020
 Zone Change #20-92000001

affect the capacity or safety of that portion of the road.	
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 development should not have a significant negative impact on the surrounding areas.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed site would be developing in a manner consistent with envisioned future land use proposal and would be a good fit with the surrounding developments.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed zone change from High Density Residential (R-3) to Planned Unit Development (PUD).

ATTACHMENTS

- Exhibit A: Area Map
- Exhibit B: Zoning Map
- Exhibit C: Land Use Map
- Exhibit D: Application

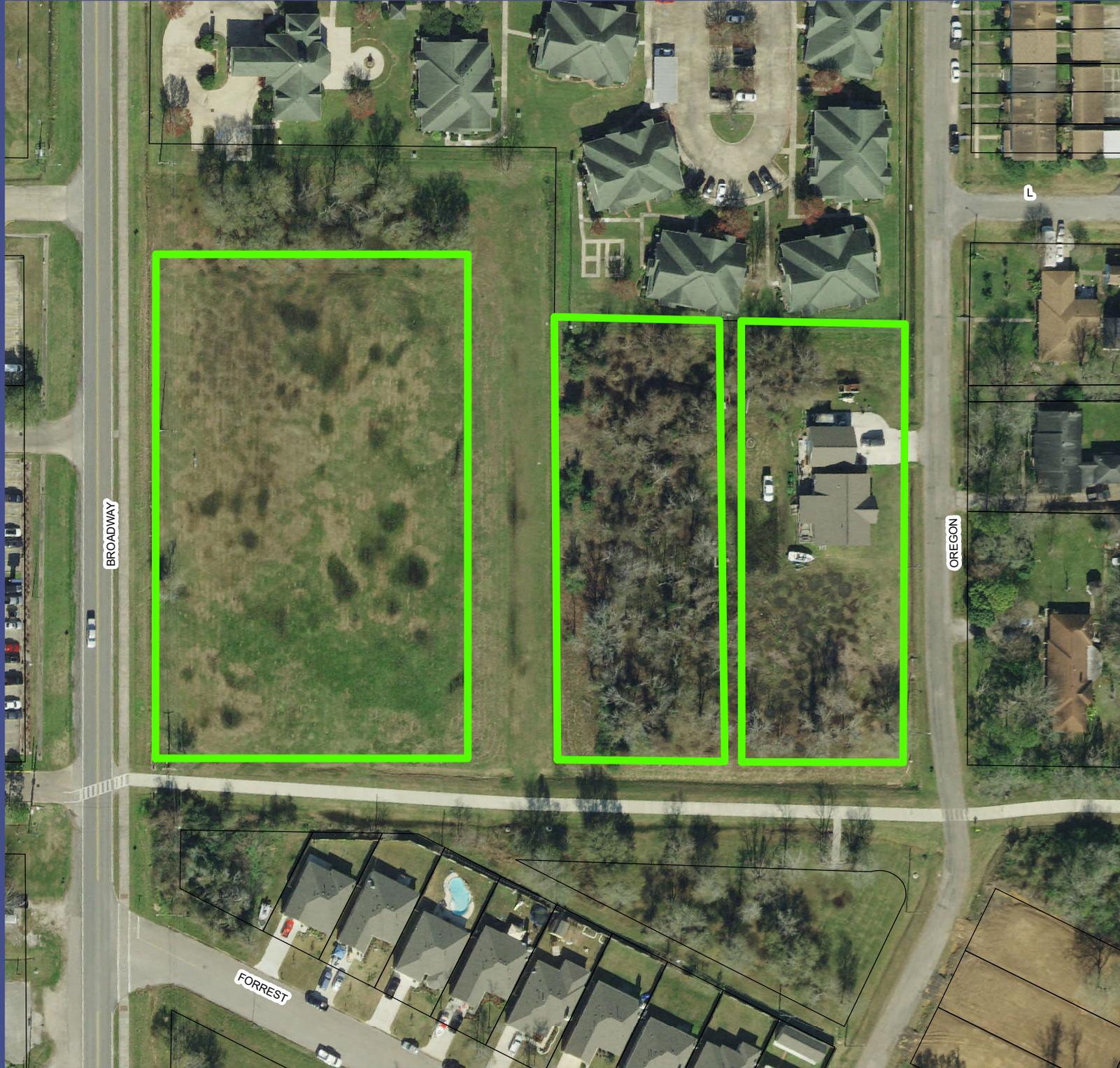


EXHIBIT A

AREA MAP

**Zone Change
#20-9200001**

**I300 Block
S. Broadway**

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 = 107 feet

MAY 2020

PLANNING DEPARTMENT



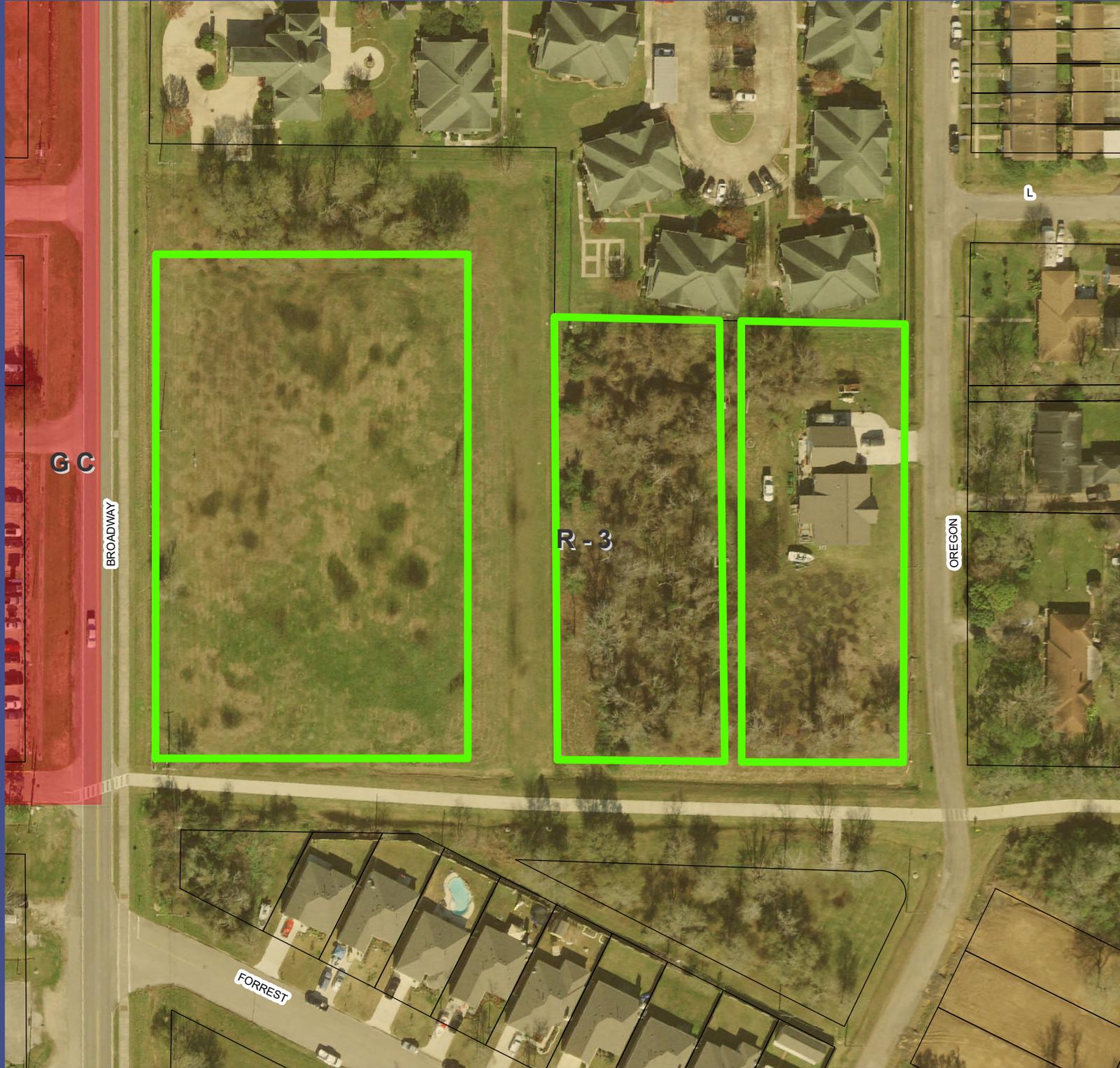


EXHIBIT B

ZONING MAP

**Zone Change
#20-9200001**

**I300 Block
S. Broadway**

Legend

 Subject Parcel



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MAY 2020
PLANNING DEPARTMENT



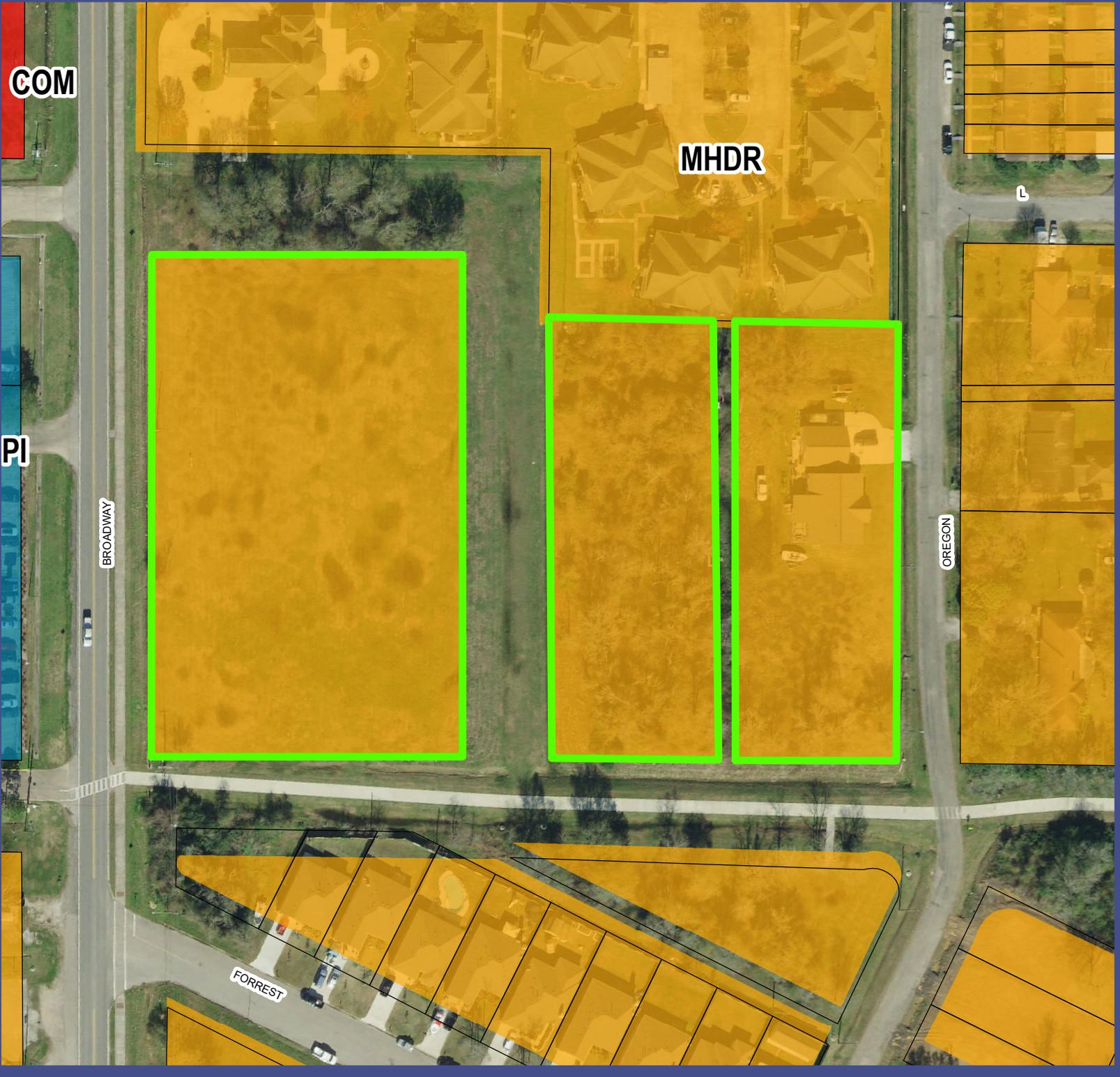


EXHIBIT C

FLUP MAP

**Zone Change
#20-92000001**

**I300 Block
S. Broadway**

Legend

 Subject Parcel



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1 inch = 107 feet
MAY 2020
PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 1303 S BROADWAY/ 1320 OREGON

Legal description where zone change is being requested: SEE HCAD and Attached Surveys

HCAD Parcel Number where zone change is being requested: 242110590001 / 0242110600002 / 0352150190001

Zoning District: High Density Residential Lot area: 5.798 Acres

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

Description of Request: Change Zoning to a PUD (SCUP Included)

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: Jack McCoy / Noah M Jones / Bayway Homes Inc.

Company (if applicable): _____

Address: 0 Broadway LaPorte 77571 / 1320 Oregon LaPorte 77571 / PO Box 1244 Friendswood 77549

City: _____ State: _____ Zip: _____

Phone: 8322769609 Email: canders@baywayhomes.com

AUTHORIZED AGENT (if other than owner)

Name: Charles Anders

Company (if applicable): Bayway Homes Inc.

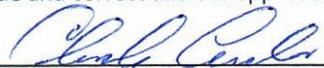
Address: PO Box 1244

City: Friendswood State: Texas Zip: 77549

Phone: 8322769609 Email: canders@ Bayway Homes.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: 4-6-2020

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

STAFF USE ONLY:

Case Number:

Date Application Received:



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 1303 S BROADWAY/ 1320 OREGON

Legal description where zone change is being requested: SEE HCAD and Attached Surveys

HCAD Parcel Number where zone change is being requested: 242110590001 / 0242110600002 / 0352150190001

Zoning District: High Density Residential Lot area: 5.798 Acres

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

Description of Request: Change Zoning to a PUD (SCUP Included)

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: Jack McCoy / Noah M Jones / Bayway Homes Inc.

Company (if applicable): _____

Address: 0 Broadway LaPorte 77571 / 1320 Oregon LaPorte 77571 / PO Box 1244 Friendswood 77549

City: _____ State: _____ Zip: _____

Phone: 8322769609 Email: canders@baywayhomes.com

AUTHORIZED AGENT (If other than owner)

Name: Charles Anders

Company (if applicable): Bayway Homes Inc.

Address: PO Box 1244

City: Friendswood State: Texas Zip: 77549

Phone: 8322769609 Email: canders@ Bayway Homes.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: *Charles Anders* Date: 4-6-2020

Owner(s)' Signature(s): *Jack McCoy* Date: 5-1-2020

STAFF USE ONLY:

Case Number: _____

Date Application Received: _____

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



October 15, 2020

AGENDA ITEMS 8-10

Special Conditional Use Permit #20-91000001

A request by Bayway Homes Inc., applicant; on behalf of Jack McCoy, Noah M. Jones, and Bayway Homes Inc., owners; to allow for a residential duplex development, to locate on a 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW.

***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 mixed residential development, to locate on a 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW?

DISCUSSION

Location:

The subject site is located at the 1300 Blocks of S. Broadway St. and Oregon St.

Background Information:

The property is currently undeveloped. The applicant for the Special Conditional Use Permit (SCUP) is in the process of changing the zoning to PUD. The proposed SCUP, will allow them to develop the site for a mixed residential development with a number of possible conditions and variances dealing mostly with lot size, setbacks, and driveway separation. The development will consist of thirty five (35) individual lots with an average size of 3,750 square feet (30' x 125'). Each individual unit will sit on its own lot and be either completely detached/stand alone or have a shared wall acting as the center lot line. The proposed duplex portion of the development will look similar to other Bayway Homes developments along N. 1st, N. 6th, and N. 7th Streets.

The applicant previously went before the Planning and Zoning Commission and City Council with a similar proposal. That request was for a total of thirty seven (37) lots on the same amount of acreage. At the previous public hearings, neighbors voiced concerns with the number of proposed units along Oregon St. and with the type of residential proposed along Oregon (duplex style housing). Ultimately the Planning and Zoning Commission and City Council voted to deny the initial request. The applicant has altered their proposal to now show a total of four (4) new lots along Oregon St. with each lot being between 55' and 62' wide. Each lot along Oregon St. will be restricted to standalone single family homes. The existing home on Oregon St. will remain intact.

Staff has provided a list of 15 conditions of approval. These conditions are meant to ensure that, if approved, this development will fit seamlessly into the surrounding neighborhood while having as little impact on surrounding infrastructure as possible. The list of conditions can be found in Exhibit D.

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

Planning and Zoning Commission Regular Meeting
 October 15, 2020
 SCUP #20-91000001

	Zoning	Land Use
North	R-3, High Density Residential	Churchill Place Apartments
South	R-3, High Density Residential	Single Family Residential
West	MH, Manufactured Housing	COLP Recreation Center
East	R-3, High Density Residential	Single Family Residential

Notification Requirements:

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

Analysis:

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

1. *Land Use.* Staff finds that allowing for a mixed residential development on this site would be consistent with the development patterns in the area and would act as a transitional development between the apartments to the north and the single family residential to the south and east.
2. *Access.* There is sufficient existing right-of-way access along S. Broadway St. and Oregon St.
3. *Utilities.* Water and sewer services are available along S. Broadway St. and Oregon 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 development would be consistent with adjacent properties.
Conformance of a zoning request with the land use plan.	The proposed SCUP will be in conformance with the future land use plan.
Character of the surrounding and adjacent areas.	The proposed development would be consistent with current zoning and uses along this section of S. Broadway and Oregon St.
Suitability of the property for the uses which would be permissible,	Development of the proposed site for residential uses would be suitable for this site.

considering density, access and circulation, and adequacy of public facilities and services.	
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed development will have minimal impact on the traffic along S. Broadway St. and Oregon St.
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 development should not have a significant negative impact on the surrounding areas.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed site would be developing in a manner consistent with envisioned future land use proposal and would be a good fit with the surrounding developments.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed SCUP #20-91000001. If the Commission chooses to recommend approval, staff has listed a number of conditions that should be considered as part of the approval.

ATTACHMENTS

- Exhibit A: Area Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use (FLUP) Map
- Exhibit D: Proposed SCUP
- Exhibit E: Application
- Exhibit F: Site Layout
- Exhibit G: Approved Replat

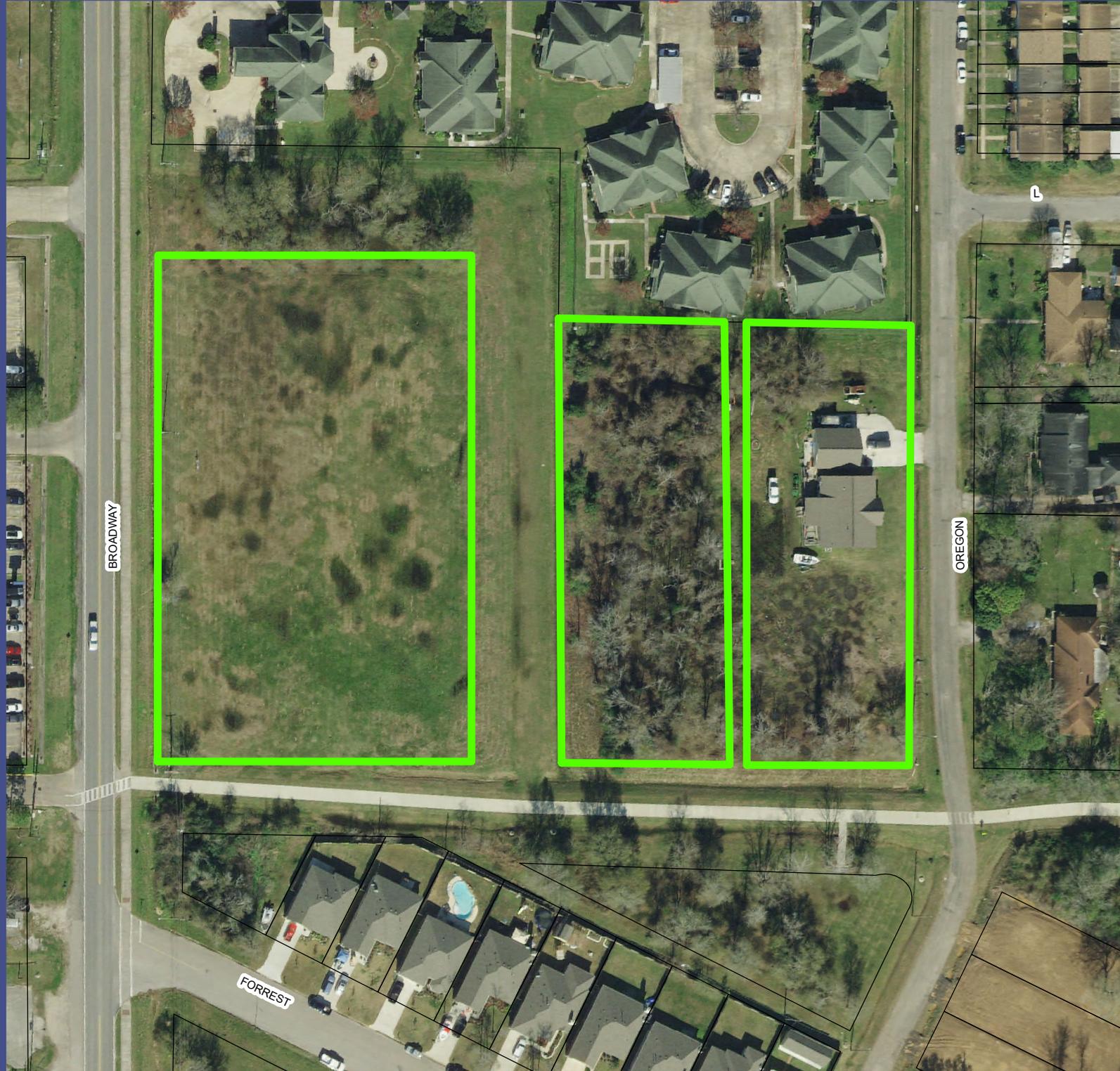


EXHIBIT A

AREA MAP

**SCUP
#20-9100001**

**1300 Block
S. Broadway**

Legend

 Subject Parcel



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1 inch = 107 feet
AUGUST 2020
PLANNING DEPARTMENT



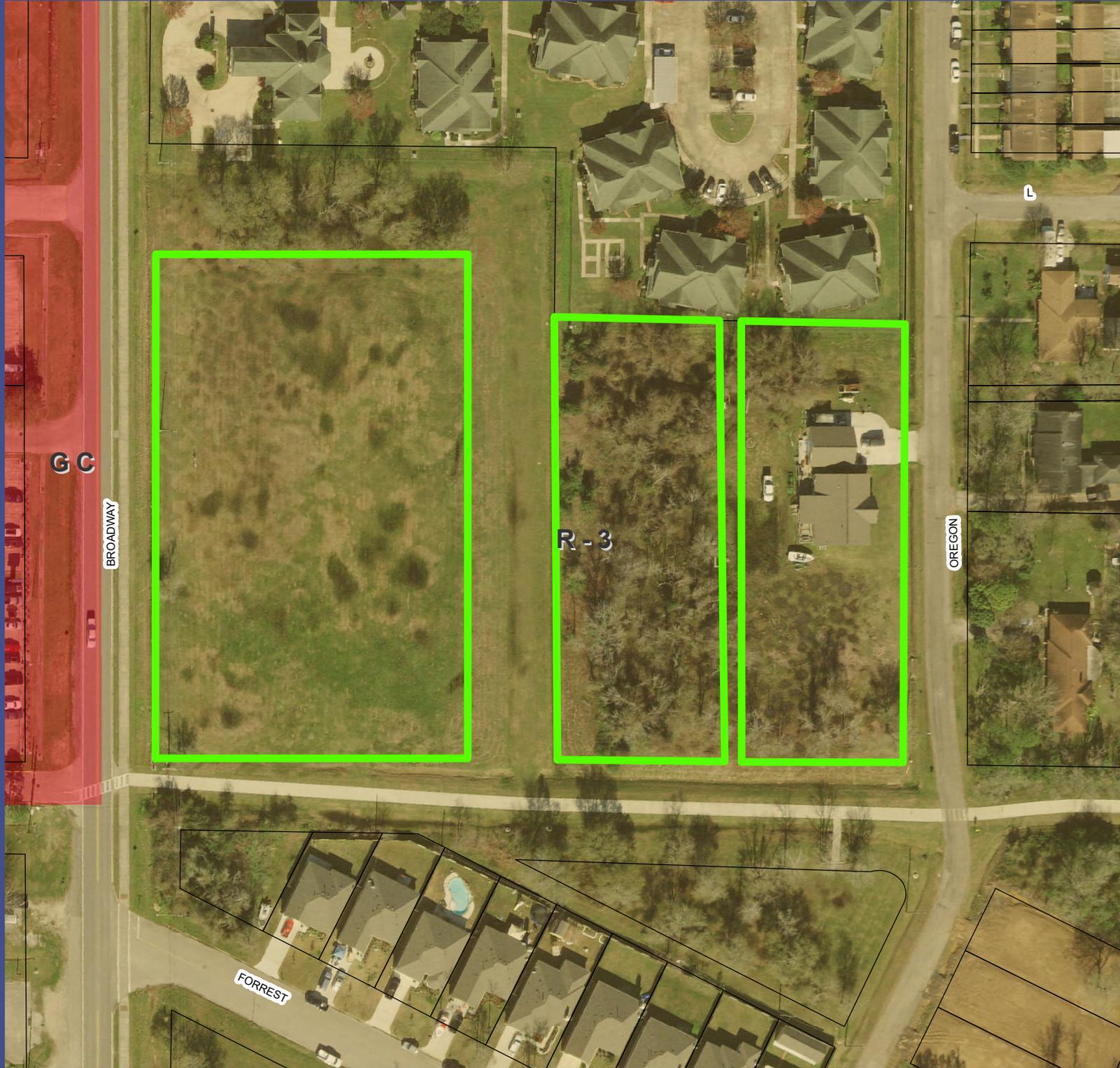


EXHIBIT B

ZONING MAP

**SCUP
#20-9100001**

**1300 Block
S. Broadway**

Legend

 Subject Parcel



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**AUGUST 2020
PLANNING DEPARTMENT**



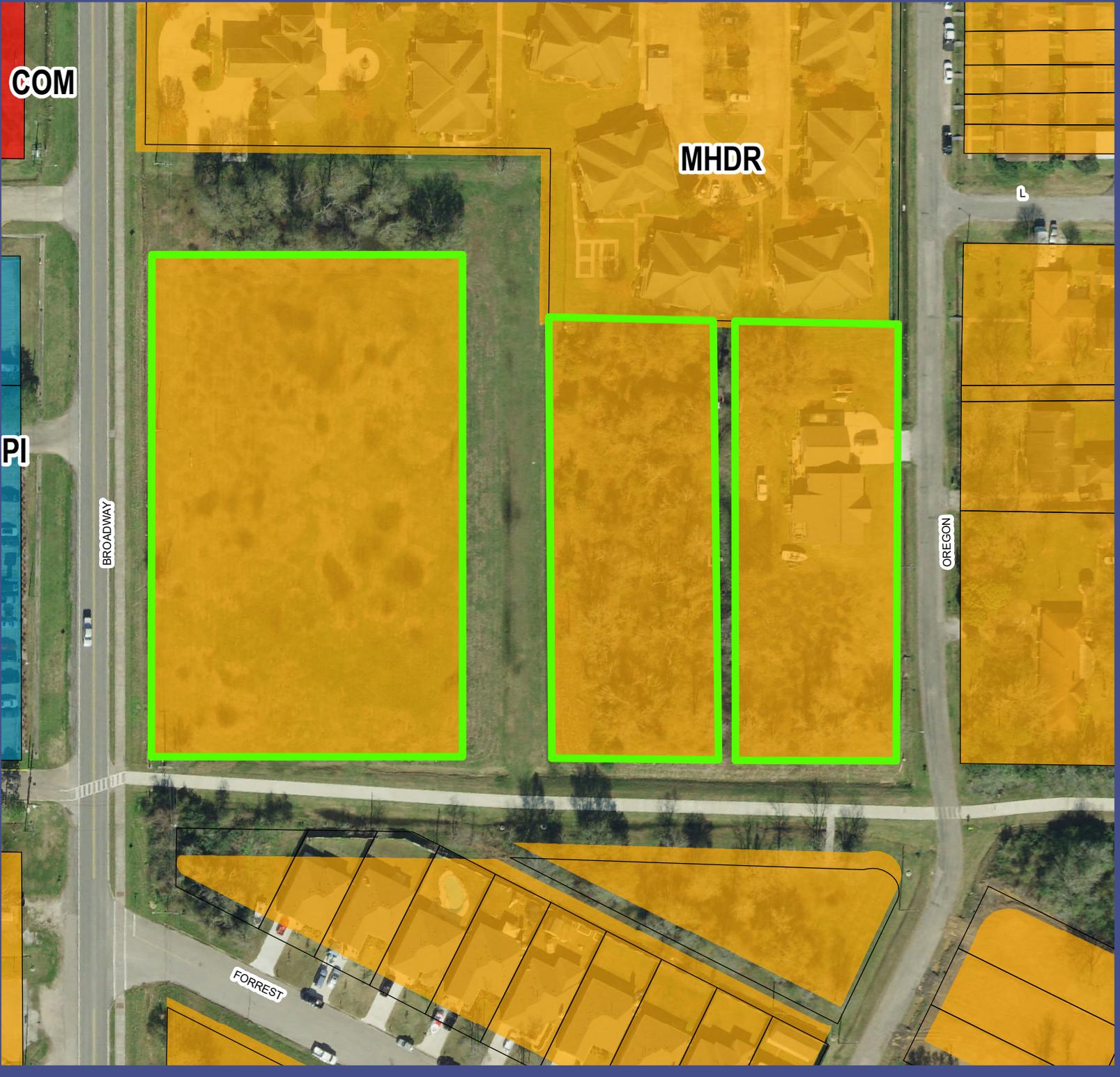


EXHIBIT C

FLUP MAP

SCUP

#20-9100001

**1300 Block
S. Broadway**

Legend

 Subject Parcel



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AUGUST 2020

PLANNING DEPARTMENT



EXHIBIT D

City of La Porte
Special Conditional Use Permit #20-9100001

This permit is issued to: Charles Anders, Bayway Homes Inc.
Owner or Agent

PO Box 1244, Friendswood, TX 77549
Address

For Development of: Sylvan Beach Enclave - Residential Duplex Development
Development Name

1300 Block of S. Broadway St.
Address

Legal Description: 5.798 acre tract of land legally described as E 115' of Lots 1-16, Lots 17-32, & Abandoned alley, Block 1159, Lots 4-29 & Tracts 3A & 30A, Block 1160, La Porte Subdivision, Lot 5, Block 19, Sylvan Beach Subdivisions and a portion of the East L St. and Texas Ave. ROW, Harris County, TX

Zoning: PUD, Planned Unit Development

Use: Residential Duplex Development

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. The underlying zoning is Mid Density Residential. All R-2 zoning and development requirements will need to be met, outside of any conditions listed below.
3. Permitted use is limited to residential zero lot line, duplex or standalone single family. No other uses are permitted.
4. For lots facing Oregon St., the minimum lot area shall be 6,000 square feet with, with a minimum lot width of 50'.
5. For all lots not fronting Oregon St., the minimum lot area shall be 3,000 square feet, with a minimum lot width of 30 feet.
6. Minimum setbacks shall be as follows:
7. Front – 20'
8. Rear – 10'
9. Side – 0'/5' (5' for sides abutting public right of way)
10. Minimum distance between primary structures – 10'
11. Maximum height of any structure shall be 35 feet.

EXHIBIT D

12. Maximum dwelling units per acre shall be 8 with a maximum lot coverage of 60%.
13. Minimum distance between driveways shall be 2 feet with a minimum of 1 foot distance between side property lines and each driveway.
14. 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.
15. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

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

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

Validation Date: _____

Director of Planning and Development

City Secretary



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 1303 S Broadway / 1320 Oregon / 0 N Forrest Ave.

Legal description where SCUP is being requested: See HCAD and Attached Surveys

HCAD Parcel Number where SCUP is being requested: 242110590001 / 0242110600002 / 0352150190001

Zoning District: High Density Residential Lot area: 5.798

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

Description of Request: For the City of LaPorte to allow a subdivision of single-family residential attached dwelling units. The project is a mixture Single- Family Special Lot Line, 0Lot Line, and Townhomes.

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Jack McCoy / Noah M Jones / Bayway Homes Inc.

Company (if applicable): _____

Address: 0 Broadway LaPorte 77571 / 1320 Oregon LaPorte 77571 / PO Box 1244 Friendswood 77549

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Charles Anders

Company (if applicable): Bayway Homes Inc.

Address: PO Box 1244

City: Friendswood State: Texas Zip: 77549

Phone: 8322769609 Email: canders@baywayhomes.com

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: *Charles Anders* Date: 4-6-2020

Owner(s)' Signature(s): *Jack McCoy* Date: 5-0-2020

STAFF USE ONLY:

Case Number: _____

Date Application Received: _____



Special Conditional Use Permit Application

Planning and Development Department

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Agent's Signature:  Date: 4-6-2020

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

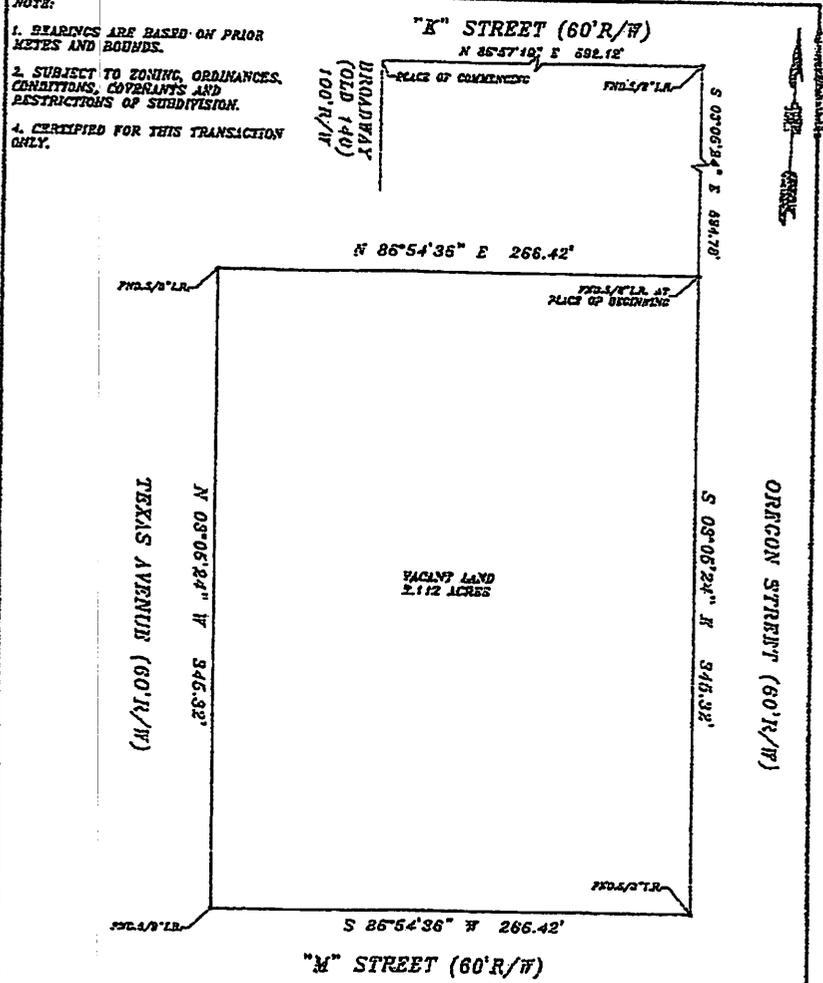
STAFF USE ONLY:

Case Number:

Date Application Received:

NOTE:

1. BEARINGS ARE BASED ON PRIOR METES AND BOUNDS.
2. SUBJECT TO ZONING, ORDINANCES, CONDITIONS, COVENANTS AND RESTRICTIONS OF SUBDIVISION.
4. CERTIFIED FOR THIS TRANSACTION ONLY.



BORROWER: DAVID LYNN SMITH
ADDRESS: 1880 S. OREGON STREET - LA PORTE, TEXAS 77671

LEGAL DESCRIPTION: 2.112 ACRES, BEING PART OF LOTS THREE (3) AND THIRTY (30) AND ALL OF LOTS FOUR (4) THRU TWENTY-NINE (29) AND THAT PORTION OF THE 16' ALLEY ABANDONED VACATED AND ABANDONED PER CITY OF LA PORTE ORDINANCE 1041; ALL IN BLOCK 1180 OF THE TOWN OF LA PORTE, IN ADDITION IS HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 60, PAGE 612 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (SEE ATTACHED METES AND BOUNDS)

Title lot None in the 100 year flood plain and is in Zone X as located by the Federal Insurance Administration Designated Flood Hazard Area Community Panel No. 4401C 0442 dated 08/18/07 by responsibility assumed for Flood Plain Determination or Floodway.

LENDER: _____ **TITLE CO: STEWART TITLE**

I do certify that this survey was this day made on the ground and that this plat correctly represents the property legally described herein. That the facts found at the time of this survey show the improvements and that there are no discrepancies apparent on the ground except as shown. This survey is based on the title commitment referenced in G.L. No. 7120130107. This survey is certified for this transaction only.



C.F. NO. 1720130107
 SCALE: 1"=60'
 DATE: 07-20-11
 JOB NO. 010711-02

Ralph L. Hennessy
TEXAS STAR SURVEYING
 18532 Old Cabellton Road, Webster, Texas 77598
 PHONE (281) 331-0414 FAX (281) 426-0642

Bayway Homes

© COPYRIGHT 2020

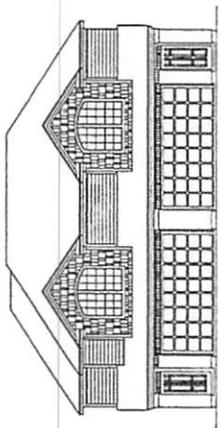
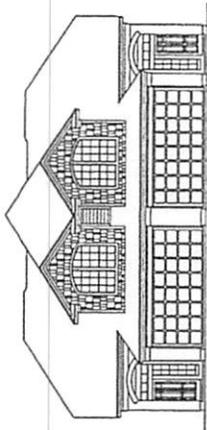
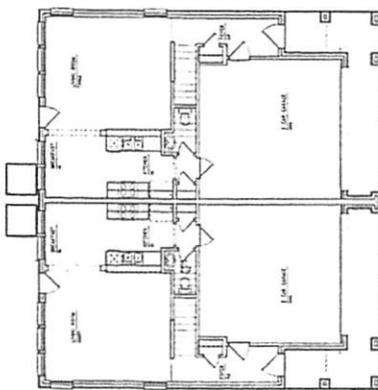
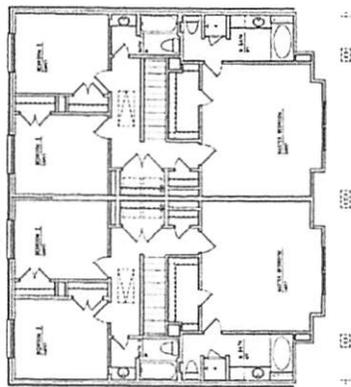
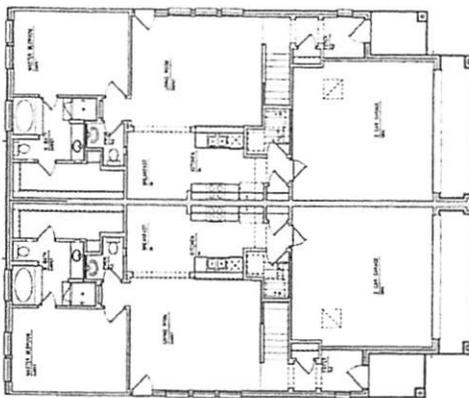
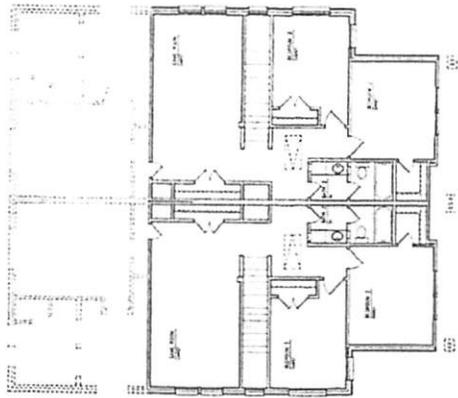
Subdivision
City/Jurisdiction

Title
Proposed Plot

Buyer Signature

Plan Number

Plans 4-6-2020



Sylvan Beach Enclave Planned Unit Development and Special Conditional Use Permit

Sylvan Beach Enclave, the project is located near Sylvan Beach Park and is bounded by South Broadway, South Oregon Street, Churchill Place Senior Living Community and City of La Porte's Hike and Bike Trail. Sylvan Beach Enclave is also located across the street from the City of La Porte's Recreation and Fitness Center. The site is currently zoned for High Density Residential District (R-3). We are applying for both a Planned Unit Develop (PUD) and Special Conditional Use Permit (SCUP). Sylvan Beach Enclave's use is single-family residential attached dwelling units. The Residential Area Requirements are a mixture of the Single-Family Special Lot Line, O Lot Line and Townhomes.

The City of La Porte's Comprehensive Plan encourages small infill development and the supply of diverse housing. Sylvan Beach Enclave is designed as an age in place development. This project is designed to appeal to single parents with one or two children, couples just starting home ownership and empty nester who are looking for reduced maintenance living and compact building design. The community promotes walkability as it is on the City's Hike and Bike Trail, across the street from the City's Recreation and Fitness and Senior Center and a short walk to Sylvan Beach Park.

All 38 proposed home sites will be slab on grade homes of one story, one and half stories and two stories. The exteriors of the homes will be a combination of brick, fibrous cement horizontal siding and fibrous faux wood shake siding. First floors will have nine feet ceilings and second floors a combination of eight- and nine-foot ceilings. All the homes will have a two-car garage. Back yards will vary in size depending on the size of the first floor of the house. We will need to install water, sanity sewer, drainage and a concrete street in the Broadway property. The first row of houses, lots 1 to 14, that back up to South Broadway will have a fence on the property line between the property and Broadway. We will work with Texas Department of Transportation to install trees in the right-of-way, to give the neighborhood a visual barrier between Broadway and the neighborhood.

The development is in the flood plain and the homes need to be raised three to four feet above the existing grade so that the finish floor height is not in the flood plain. In order to raise the homes, we will remove soil between the row of houses on South Oregon Street and second row of homes on the South Broadway and place the soil on the building sites. Where the soil has been removed, we will install tress to create a park like environment. The area we are removing soil from will be deep in the flood plain, we do not anticipate building any structures. Sylvan Beach Enclave will have a homeowner's association who will maintain the flood mitigation area and enforce maintenance standards on the appearance of the homes.

There are three landowners that we need to acquire property for this project. We currently have both properties, the property on Broadway and the property on Oregon under contact to be purchased. The third property owner is the City of La Porte who owns the 100 feet street right-of-way between the Broadway property and Churchill Senior Living Community and 60 feet street right-of-way between the Broadway and Oregon properties. The 60 feet right-of-way contains both a large sanity sewer main and a drainage ditch/facility. When we purchase the property from the city, the property will have an easement agreement allowing both facilities to remain and not allowing us to build over the sanity sewer main. The entrance to the subdivision is in the 100' right-of-way.

If we receive approval of this PUD and SCUP application and after we develop the property, we will start construction of homes after receiving building permits. We will continue building as the market will allow for absorption of the homes. To be conservative, from the granting the application to completion of the project could take four years.

We have been building in La Porte for many years in the North Side, at Sylvan Beach Park and on the nearby streets of Forrest Avenue, South Oregon Street and Park Street. We believe this project will be a significant addition to Sylvan Beach.

Attachments:

- 1) Sylvan Beach Enclave Residential Area Requirements
- 2) Site Plan
- 3) Proposed Typical Home Plans

Sylvan Beach Enclave

Planned Unit Development and Special Conditional Use Residential Area Requirements

The Development is in the High Density Residential District (R-3) which has several types of housing, two of which are Single-Family Special Lot Line, Zero Lot Line and Townhouses. We are using some of the restrictions from both districts to design Sylvan Beach Enclave. All the homes in the community will be for sale single-family homes that are attached on one wall.

	Sylvan Beach Enclave	Single-Family Zero Lot Line	Townhouses
Minimum Lot Area	3,000 feet	4,500 feet	2,000 feet
Minimum Lot Width	30 feet	40 feet	20 feet
Front Yard Setback	20 feet	20 feet	25 feet
Rear Yard Setback	10 feet	10 feet	20 feet
Side Yard Setback	0 and 5 feet	0 and 10 feet	20 feet
Side Yard Setback At end of blocks	5 feet	10 feet	20 feet
Distance between Dwelling Units	10 feet	10 feet	20 feet
Maximum Height	35 feet	35 feet	45 feet
Dwelling Units Per Acre	8	6	10
Maximum Lot Coverage	60%	60%	75%
Distance between Side Property Line And Driveway	1 feet	3 feet	3 feet
Spacing between Driveways	2 feet	10 feet	10 feet



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: 1303 S. BROADWAY LA PORTE TEXAS 77571

LEGAL DESCRIPTION: E 118' LOTS 1-16, LOTS 17-32 & ABANDONED ALLEY BLK 1159

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

[Signature]
Applicant's Signature

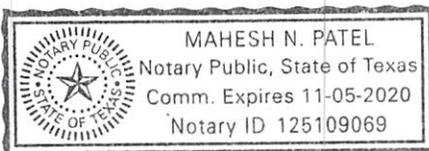
JACK C MCCOY
Applicant's Printed Name

Subscribed and sworn before me this 2nd day of MAY, 2020 by
JACK MCCOY (Print Applicant's Name).

[Signature]
Notary Public

(Seal)

My commission expires: NOV. 05, 2020



[Handwritten mark]



IN TESTIMONY WHEREOF, Bayway Homes, Inc. has caused these presents to be signed by Jon Skeele, President, thereunto authorized, attested by its Development Coordinator, Charles Anders, and its common seal hereunto affixed by this ____ day of _____, 20__.

Jon Skeele, President Bayway Homes, Inc.

Attest: Charles Anders, Development Coordinator

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 Sylvan Beach Enclave, Phase One, 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 _____, 20__.

ATTEST: By: Director, Planning Department; By: La Porte City Engineer; By: Chairman, La Porte Planning and Zoning Commission

STATE OF TEXAS COUNTY OF HARRIS We, Bayway Homes Inc. acting by and through Jon Skeele, President of Bayway Homes, Inc. hereinafter referred to as Owner whether one or more of the 2.1120 acre tract described in the above and foregoing Plat of Sylvan Beach Enclave, Phase One, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the 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 ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of Residential Homes thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately.

This is to certify that Bayway Homes Inc., owner or authorized agent of the owner of the land being platted or subdivided known as Sylvan Beach Enclave, Phase One, approved by the La Porte City Planning and Zoning Commission, authorized Chris Hollins, County Clerk of Harris, County or his authorized Deputy to return the original recorded map or plat of said subdivision only to the Director of the City of La Porte's Planning Department or to his authorized representative, who shall file such original recorded map or plat in the permanent records of that Department.

Signature Jon Skeele, President Bayway Homes, Inc.

THE STATE OF TEXAS COUNTY OF _____ BEFORE ME, the undersigned authority, on this day personally appeared Jon Skeele, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20__.

Notary Public in and for _____ County, Texas My Commission Expires: _____

BEING a 2.1120 acre (92,000 Sq. Ft.) tract of land and being the south 20.32' of Lot 3 and Lot 30, all of Lots 4 through 29, in Block 1160, of the Town of La Porte, a subdivision recorded in Volume 60, Page 112 of the Deed Records of Harris County, Texas, together with the 16.42 foot wide alley located in said Block 1160, being vacated, abandoned and closed per City of La Porte City Ordinance Number 1041, said 2.1120 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod found for the northeast corner of the tract herein described, same being the most southerly southeast corner of Churchill Place Apartments, Amended, a subdivision in Harris County, according to the map or plat thereof recorded in Film Code No. 527166, of the Map Records of Harris County, Texas, and being in the west right of way line of South Oregon Street (60' R.O.W.)

THENCE S03°05'45"E along and with the west right of way line of said South Oregon Street, a distance of 345.32' a 3/8" iron rod found for the southeast corner of said Lot 17 and the tract herein described, same being the point of intersection of the west right of way line of said South Oregon Street and the north right of way line of East "M" Street (60' R.O.W.)(unimproved);

THENCE S86°54'15"W along and with the north right of way line of said East "M" Street, a distance of 266.42' to a capped iron rod "RD Ellis 4006" set for the southwest corner of the tract herein described, same being the point of intersection of the north right of way line of said East "M" Street and the east right of way line of Texas Street (60' R.O.W.) (unimproved) and also being the southwest corner of said Lot 16;

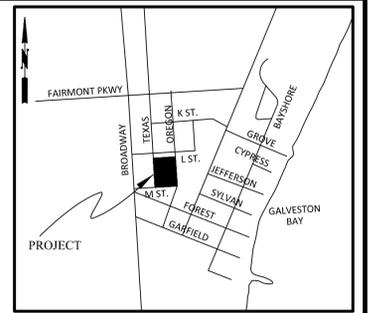
THENCE N03°05'45"W along and with the east right of way line of said Texas Street, a distance of 345.32' to a 3/8" iron rod found for the northwest corner of the tract herein described, same being the most southerly southwest corner of said Churchill Place Apartments, Amended;

THENCE N86°54'15"E along and with the most southerly line of said Churchill Place Apartments, a distance of 266.42' to the POINT OF BEGINNING of the tract herein described.

This is to certify that I Robert D. Ellis, a registered professional land surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground, that all block corners, angle points, and points of curve are property marked, and that this plat correctly represents that survey made by me.

Preliminary, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document

Robert D. Ellis Tx. Reg. No. 4006



1) SHOWN BEARINGS ARE BASED ON NAD83 TEXAS STATE COORDINATE SYSTEM SOUTH CENTRAL ZONE

2) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 48201C0945M, DATED JANUARY 06, 2017, THE SUBJECT PROPERTY IS LOCATED IN ZONE "AE" WITH A BFE OF 14.0'.

3) REFERENCE BENCHMARK - HARRIS COUNTY RM NO. 060020 ELEVATION = 12.97' NAVD88 2001ADJ

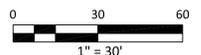
4) REASON FOR REPLATING IS TO CHANGE LOT CONFIGURATION, INCREASING THE SIZE OF THE LOTS.

5) ALL DRAINAGE RESERVES WILL BE PRIVATE AND MAINTAINED BY THE H.O.A. AND WILL NOT BE OWNED OR MAINTAINED BY THE CITY OF LA PORTE.

Owner/ Developer BAYWAY HOMES, INC. 2805 25th Avenue North Texas City, TX 77590 Tel: (281) 648-2425 SURVEYOR Ellis Surveying Services 2805 25th Avenue North Texas City, TX 77590 Tel: (409) 938-8700 Texas Firm Reg. No. 100340-00

SYLVAN BEACH ENCLAVE PHASE ONE BEING A 2.1120 ACRE RESIDENTIAL TRACT CONTAINING 5 LOTS, 1 RESERVE, 1 BLOCK AND BEING A REPLAT OF THE SOUTH 20.32' OF LOTS 3 AND 30, ALL OF LOTS 4 THROUGH 29, IN BLOCK 1160, OF THE TOWN OF LA PORTE, A SUBDIVISION RECORDED IN VOLUME 60, PAGE 112, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS

CITY OF LA PORTE, HARRIS COUNTY, TEXAS AUGUST 06, 2020



We, Regions Bank, owner and holder of a lien upon said property, do hereby ratify and confirm said subdivision and dedication, and do hereby in all things subordinate to said subdivision and dedication the lien owned and held by Regions Bank, against said land.

Witness my (or our) hand in _____ County, Texas, this ____ day of _____, 2020.

Ted Spring, Senior Vice President, Regions Bank

State of Texas § _____ § County of _____ §

Before me, the undersigned authority on this day personally appeared Ted Spring, known to me to be persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in _____ County, Texas

I, Chris Hollins, Clerk of the County of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20__, at ____ o'clock, ____M., and duly recorded on _____, 20__, at ____ o'clock ____M., and in film code number _____ of the Map Records of Harris County for said County.

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

Chris Hollins Deputy Clerk of the County Court Harris County, Texas

We, Clear Lake Banking Center, Prosperity Bank, owner and holder of a lien upon said property, do hereby ratify and confirm said subdivision and dedication, and do hereby in all things subordinate to said subdivision and dedication the lien owned and held by Clear Lake Banking Center, Prosperity Bank, against said land.

Witness my (or our) hand in _____ County, Texas, this ____ day of _____, 2020.

Russell Lindsay, President Clear Lake Banking Center, Prosperity Bank

State of Texas § _____ § County of _____ §

Before me, the undersigned authority on this day personally appeared Russell Lindsay, known to me to be persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in _____ County, Texas

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



October 15, 2020

AGENDA ITEM 11

Consideration and Possible Action:

- a. Consider approval of an extension of time for Special Conditional Use Permit (SCUP) #19-91000006

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

ORDINANCE NO. 2019-3761

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 19-91000006, TO ALLOW FOR A MULTI-FAMILY USE IN A PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, ON A 12.608 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS TRACTS 710A AND 711, LA PORTE OUTLOTS, LA PORTE, HARRIS COUNTY, TEXAS; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

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

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #19-91000006 attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for a multi-family use on a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd. and legally described as Tracts 710A and 711, La Porte Outlots, La Porte, Harris County, Texas, and situated within a Planned Unit Development (PUD) zoning district.

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

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

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

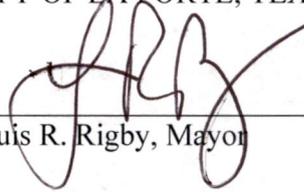
Section 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration.

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

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

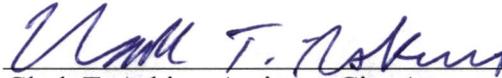
Passed and approved this, the 23rd day of September, 2019.

CITY OF LA PORTE, TEXAS



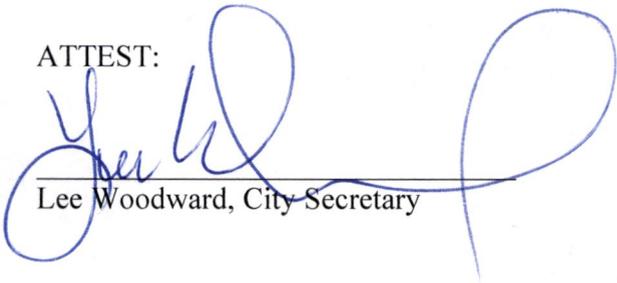
Louis R. Rigby, Mayor

APPROVED AS TO FORM:



Clark T. Askins, Assistant City Attorney

ATTEST:



Lee Woodward, City Secretary

EXHIBIT A

**City of La Porte
Special Conditional Use Permit #19-9100006**

This permit is issued to: Doak Brown
Owner or Agent

N/A
Address

For Development of: Multi-family
Development Name

NW Corner of Fairmont Pkwy. and Canada Rd.
Address

Legal Description: A 12.608 acre tract of land legally described as Tracts 710A and 711, La Porte Outlots, Harris County, La Porte, TX

-

Zoning: PUD, Planned Unit Development

Use: Multi-family

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, subject to the following conditions.
2. Permitted use on site will be described as Multi-family.
3. The underlying zoning will be R-3. All Multi-family development requirements will need to be met.
4. Permitted density will not exceed 24 units/acre. This is in contrast to section 106-33 (a) of the City of La Porte Zoning Ordinance.
5. Total number of dwelling units may not exceed 300 units on site.
6. Maximum building height for any on site structure may not exceed 60 feet.
7. The 1000 foot minimum distance requirement between separate multi-family developments shall be applied as measured from building to building not property line to property line.
8. A Traffic Impact Analysis will be performed and submitted to the city for review prior to approval of the required site plan.
9. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process.

10. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

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

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

Validation Date: _____

Director of Planning and Development

City Secretary

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



October 15, 2020

AGENDA ITEM 12

Discussion Item:

- a. Discussion on possible expansion of the High Frequency Truck Route (HFTR) along W. M St. west of S. 16th St. within the Port Crossing Commerce Center

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



HFTR

Proposed HFTR Extension W.M St. @ S. 16th

Legend

-  Proposed HFTR Extension
-  Existing HFTR



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 = 167 feet

OCTOBER 2020
PLANNING DEPARTMENT

