



## City of La Porte Planning and Zoning Commission Agenda

Notice is hereby given of a **Regular Meeting** of the La Porte Planning and Zoning Commission to be held on **Thursday, April 16, 2015 at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Consider approval of meeting minutes: February 19, 2015.
4. Consider approval of meeting minutes: March 19, 2015.
5. Open public hearing to receive input on an application for Zone Change #14-92000001, a request by Jose Angel Sandoval Jr. (on behalf of the property owner Eddie V. Gray, Trustee) to rezone the property known as Reserve 1, Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 subdivision from General Commercial District (GC) to Low Density Residential (R-1).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (for, against, or questions)
  - d. Question and Answer
6. Close public hearing.
7. Consider recommendation to City Council on Zone Change request #14-92000001.
8. Open public hearing to receive input on an application for Special Conditional Use Permit #15-91000001, a request by Rhonda Carraway to allow for construction of a secondary dwelling unit on the property located at 227 S. Y Street also described as Lots 9 and 10, Block 1, Oakhurst subdivision.
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (for, against, or questions)
  - d. Question and Answer
9. Close public hearing.
10. Consider recommendation to City Council on Special Conditional Use Permit request #15-91000001.
11. Open public hearing to receive input on an application for Special Conditional Use Permit #15-91000002, a request by Barsan Global Logistics (on behalf of the property owner Pierside Industries Inc.) to allow for construction of a warehouse facility on a 7.1 acre portion of the property described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey in the Planned Unit Development (PUD) zone district.
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (for, against, or questions)
  - d. Question and Answer
12. Close public hearing.
13. Consider recommendation to City Council on Zone Change request #15-91000002.
14. Administrative reports.
15. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
16. 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, April 16, 2015, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

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

**Planning and Zoning Commission  
Minutes of February 19, 2015**

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

**Commissioners Absent:** Les Bird

**City Staff Present:** Planning and Development Director Tim Tietjens, City Planner Eric Ensey, City Engineer Bob Eng, Assistant City Attorney Clark Askins, and Office Coordinator Peggy Lee

**Council Members Present:** Danny Earp

**1. Call to order.**

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

**2. Roll Call of Members.**

Commissioners Kendrick, Warren, LaCour, Barrera, Martin, Follis, Smith, and Lawler were present for roll call. Commissioner LaCour left the meeting at 7:15 p.m.

**3. Consider approval of meeting minutes: January 29, 2015.**

**Motion by Commissioner Barrera to approve the January 29, 2015, meeting minutes.**

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

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

**Nays: None**

**4. Consider a recommendation to City Council on an amendment to the city's Future Land Use Map amending a tract of land approximately 1.0 acre in area further described as Tracts 262 and 262A, La Porte Outlots, situated in the Enoch Brinson Survey, A-5, City of La Porte, Harris County, Texas, from "Large Lot Residential" to "Commercial."**

Being interrelated, the staff reports for agenda items 4 and 5 were given in a single presentation by City Planner Eric Ensey. Applicants Jose and Martina Guadalupe Marroquin (on behalf on property owner Dennis Noseworthy) have requested to rezone a 1.0 acre portion of a 2.14 acre tract of land described as Tracts 262 and 262A, La Porte Outlots from Large Lot Residential to General Commercial. An amendment to the Future Land Use Map to identify the entire site as "Commercial" is necessary in order to accommodate the rezone request. The Marroquin's intend to purchase the property and develop an automobile and truck repair facility.

**Motion by Lou Ann Martin to deny an amendment to the city's Future Land Use Map for a tract of land approximately one acre in area further described as Tracts 262 and 262A, La Porte Outlots.**

**Second by Trey Kendrick. Motion carried.**

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

**Nays: None**

5. **Open public hearing to receive input on an application for Zone Change #15-92000001 by Jose Marroquin & Martina Guadalupe Marroquin on behalf of Dennis Noseworthy, owner of a 1.0 acre tract of land described as Tracts 262 and 262A, La Porte Outlots, situated in the Enoch Brinson Survey, A-5, City of La Porte, Harris County, Texas, from Large Lot District (LL) to General Commercial (GC).**

Chairman Lawler opened the public hearing at 6:03 p.m.

**a. Staff Presentation**

The staff report for this request was presented in conjunction with agenda item 4.

Public hearing notices were mailed to all property owners located within 200' of the subject site. The city received two responses from the mail-out, both in opposition of the rezone request.

**b. Applicant Presentation**

Hilda Cantu, 6402 Avondale, Pasadena, TX, realtor, spoke on behalf of the applicants. In response to questions from the Commission, Ms. Cantu stated the proposed use will be a mechanical repair shop that will service automobiles and 18-wheeler trucks (without the trailers). The hours of operation will be 7:00 a.m. – 5:00 p.m.

**c. Public Comments (for, against, or questions)**

The property owner, Dennis Noseworthy, addressed the Commission. Mr. Noseworthy stated there are very few residential properties remaining along Sens Rd. Most all development along the roadway is commercial.

**d. Question and Answer**

There were no questions posed.

6. **Close public hearing.**

Chairman Lawler closed the public hearing at 6:25 p.m.

7. **Consider recommendation to City Council on Zone Change Request #15-92000001.**

Commissioners had concerns with setting precedence for further similar requests and with encroachment into the Large Lot District.

**Motion by Commissioner Kendrick to recommend denial to City Council of Zone Change Request #15-92000001.**

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

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

**Nays: None**

8. **Consider a recommendation to City Council on an amendment to the city's Future Land Use Map amending a tract of land approximately 6.43 acres in area further described as Tracts 351 and 352, La Porte Outlots, situated in the Enoch Brinson Survey, A-5, Harris County, Texas, from "Large Lot Residential" to Light Industrial."**

Being interrelated, the staff reports for agenda items 8 and 9 were given in a single presentation by City Planner Eric Ensey. The applicant, QualaWash Holdings LLC (on behalf of property owner Louisiana Chemical LLC) has requested to rezone a 6.43 acre tract of land described as Tracts 351 and 352, La Porte Outlots from Large Lot Residential to Light Industrial. An amendment to the Future Land Use Map to identify the site as "Light Industrial" is necessary in order to accommodate the rezone request. QualaWash intends to lease a 5.0 acre portion of the subject 6.43 acres to construct an additional parking lot for trucks and trailers.

**Motion by Commissioner Follis to amend the city's Future Land Use Map amending a tract of land approximately 6.43 acres in area further described as Tracts 351 and 352, La Porte Outlots.**

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

**Ayes: Commissioners Warren, Martin, Follis, Smith, and Kendrick**

**Nays: Commissioners Barrera and Lawler**

9. **Open public hearing to receive input on an application for Zone Change #15-92000002 by QualaWash Holdings LLC on behalf of Louisiana Chemical Co. LLC, owner of a 6.43 acre tract of land described as Tracts 351 and 352, La Porte Outlots, situated in the Enoch Brinson Survey, A-5, Harris County, Texas, from Large Lot Residential (LL) to Light Industrial (LI).**

Chairman Lawler opened the public hearing at 6:34 p.m.

**a. Staff Presentation**

The staff report for this request was presented in conjunction with agenda item 8.

Notice of the public hearing was mailed to all property owners within 200' of the subject site. No written comments were received from the mail-out.

**b. Applicant Presentation**

Dan Langdon, QualaWash Regional Vice-President, addressed the Commission. Mr. Langdon provided a brief description of the company. The rezone is being requested to provide additional trailer parking to accommodate the company's expansion. Qualawash representatives contacted and discussed their plans with five adjacent property owners and received overwhelming positive response.

Tony Garcia, with SDC Construction, 4221 McKinney, Houston, TX addressed the Commission. SDC Construction will serve as the general contractor for the project. Mr. Garcia provided Commissioners with a handout of an executive summary describing the parking lot expansion project.

**c. Public Comments (for, against, or questions)**

Darrell Hutchins, 11311 North P St., spoke in opposition to the rezone. Mr. Hutchins stated the property was previously rezoned approximately five years ago. At that time, the property owner was required to plant trees to help serve as a buffer, but that was never done. Mr. Hutchins is concerned about the additional noise that will come from moving trailers in and out of the parking lot.

Jim Carlson, with QualaWash, committed to planting trees and complying with any requirements of the site plan.

Barrett Gibson, with Louisiana Chemical Co., was available to answer questions.

Richard Hillenbrand, with Louisiana Chemical Co., was available to answer questions.

Mr. Gibson and Mr. Hillenbrand agreed to forward any additional requests of the company to their upper management.

Julia Hutchins, wife of Darrell Hutchins, stated they hear noises at night caused by hooking and unhooking onto trailers. They also hear clanging noises generated by opening and closing the dome lids on the trailers. Mrs. Hutchins believes additional trees would help buffer the noise.

**d. Question and Answer**

The Commission and staff discussed concerns brought up during public comments.

**10. Close Public Hearing**

Chairman Lawler closed the public hearing at 7:57 p.m.

**11. Consider recommendation to City Council on Zone Change request #15-92000002.**

Commissioners discussed buffers and drainage.

Motion by Commissioner Follis to recommend to City Council, approval of Zone Change request #15-92000002, to rezone 6.43 acres described as Tracts 351 and 352, La Porte Outlots, from Large Lot Residential (LL) to Light Industrial (LI), subject to the following conditions:

1. A 20-foot landscape buffer shall be maintained parallel to the west property line as well as a 20-foot wide landscape buffer beginning from a parallel line 54 feet from the south property line (the 54 feet representing the width of a future drainage easement for improvements to the F-101 drainage system). The existing tree vegetation shall not be removed and shall be maintained within the buffer area.
2. An 8-foot high masonry fence shall be provided along said buffer adjacent to the proposed industrial development.

Second by Commissioner Warren. Motion carried.

**Ayes: Commissioners Warren, Martin, Follis, Smith, and Kendrick**  
**Nays: Commissioners Barrera and Lawler**

**12. Discussion on Chapter 106 (Zoning) follow-up items for review.**

City Planner Eric Ensey provided an overview of several items carried over from the recently adopted zoning amendments to Chapter 106 that City Council wanted the Commission to look into further. The items are listed below and are followed by the Commission's recommended course of action shown in bold:

- a. Tree Preservation (Section 106-801, 802, 803)
  - **Create an exclusion for single-family lot developments from the requirements of the tree preservation ordinance.**
  - **No changes to the requirement to provide a tree survey and tree disposition plan.**
  - **No changes to the reduced fee of \$50 per caliper inch and the maximum cap of \$100,000.**
- b. Outdoor Storage in Main Street District (Section 106-511(c))
  - **Create a definition for "outdoor storage" that would be applicable city-wide for both residential and non-residential properties.**
- c. Temporary Signage (106-877)
  - **Allow placement of signs and/or banners within rights-of-way for city events.**
  - **Allow placement of signs for federally funded projects within the city.**
  - **Allow sandwich board and other similar non-fixed temporary signs common in the Main Street area so long as they are located in a safe manner and picked up at the end of the day.**

Staff will draft an ordinance with the proposed changes for further review and consideration by the Commission.

**13. Discussion on establishing a Subcommittee for review of the Development Ordinance and Commission Bylaws.**

City Planner Eric Ensey explained the need for the Commission to perform a review of the city's Development Ordinance and to create bylaws for the group.

**Motion by Commissioner Kendrick to appoint two subcommittees to begin review of these items as follows:**

**Bylaws Subcommittee: Commissioners Kendrick and Smith**  
**Development Ordinance Subcommittee: Commissioners Martin, Follis, Barrera, and Warren**

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

**Ayes: Commissioners Warren, Martin, Barrera, Follis, Smith, Kendrick, and Lawler**  
**Nays: None**

**14. Administrative reports.**

- Grand Opening of Animal Shelter set for April 27<sup>th</sup>.
- Staff conducted a neighborhood meeting with the property owners in the “circle” areas near Sylvan Beach regarding the proposed rezoning to Mixed Use District.

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

Commissioners expressed positive comments about the proposed rezoning of the “circle” areas near Sylvan Beach to Mixed Use.

**16. Adjourn**

**Motion by Commissioner Warren to adjourn.**

**Second by Commissioner Kendrick.**

Chairman Lawler adjourned the meeting at 9:00 p.m.

Respectfully submitted,

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Peggy Lee  
Secretary, Planning and Zoning Commission

Passed and Approved on \_\_\_\_\_, 2015.

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Hal Lawler  
Chairman, Planning and Zoning Commission

**Planning and Zoning Commission  
Minutes of March 19, 2015**

**Commissioners Present:** Richard Warren, Nick Barrera, Lou Ann Martin, Mark Follis, Les Bird, and Hal Lawler

**Commissioners Absent:** Trey Kendrick, Helen LaCour, and Wyatt Smith

**City Staff Present:** Planning and Development Director Tim Tietjens, City Planner Eric Ensey, and City Attorney Knox Askins

**1. Call to order.**

Chairman Hal Lawler called the meeting to order.

**2. Roll Call of Members.**

Commissioners Warren, Barrera, Martin, Follis, Bird, and Lawler were present for roll call.

**3. Open public hearing to receive input on an application for Zone Change #15-92000003, a city-initiated rezoning of Lots 1-28, Block 29; Lots 1-28, Block 30; Lots 1-28, Block 31; Lots 1-28, Block 32; Lots 7-10, Block 49; of the Beach Park Subdivision from Neighborhood Commercial District (NC) to Mixed Use District (MU).**

Chairman Lawler opened the public hearing.

**a. Staff Presentation**

City Planner Eric Ensey presented the staff report for a city initiated zone change of the circle areas located adjacent to Sylvan Beach Park from Neighborhood Commercial District to Mixed Use District. The Mixed Use District was established in response to requests from property owners in that area to construct single-family residential houses, which are not allowed in the Neighborhood Commercial District.

Public hearing notices were mailed to all property owners located within 200' of the subject site. The city received five responses from the mail-out, all in favor of the rezone request.

**b. Applicant Presentation**

The applicant and staff presentations were one in the same.

**c. Public Comments (for, against, or questions)**

Chuck Rosa addressed the Commission. Mr. Rosa stated he was originally opposed to the request because it was city-initiated, but has since changed his mind after learning that residents in the area had approached the city about the rezone. Mr. Rosa encouraged any Commissioners with a possible financial interest in the zone change to abstain from voting.

Scott McCormick addressed the Commission. Mr. McCormick is in favor of allowing residential development in the subject area.

Selena Hope, 727 Bayshore Dr., addressed the Commission. Ms. Hope spoke about the trash that ends up in her yard after events at Sylvan Beach. She wanted to warn anyone thinking of building a residence in the subject area about this problem.

Commissioner Martin addressed Chuck Rosa requesting that he direct his comments to her by name rather than by implication.

Mr. Rosa responded that meeting rules do not allow him to address his comments directly at any one person.

**d. Question and Answer**

Staff responded to questions from the Commission. There was some concern about possible problems with parking. Staff suggested there may be a need for public improvements in the area if parking does become an issue in the future.

**4. Close public hearing.**

Chairman Lawler closed the public hearing.

**5. Consider recommendation to City Council on Zone Change Request #15-92000003.**

**Motion by Commissioner Warren to recommend to City Council, approval of Zone Change Request #15-92000003.**

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

**Ayes: Commissioners Warren, Barrera, Martin, Follis, Bird, and Lawler**

**Nays: None**

**6. Consider a request by La Porte Lodging Hospitality LLC for consideration of a waiver to the city's Design Guidelines (Exterior Façade Materials) for the proposed Fairfield Inn & Suites at 711 Highway 146 South.**

City Planner Eric Ensey presented the staff report. La Porte Lodging Hospitality LLC has requested a waiver to the city's Design Guidelines for a Tier 1 building for the proposed Fairfield Inn & Suites at 711 Highway 146 South. The applicant is proposing to utilize 25% masonry material for the building façade instead of 80% coverage required by code.

The applicant, Kevin Helche, 6170 FM 2011, Longview, TX, President of Lodging Host Hotel Corp., and a Partner in La Porte Lodging Hospitality LLC, addressed the Commission. His company also operates the Comfort Suites in La Porte. Mr. Helche stated the architect has concerns that the structural engineer has determined that being in the gulf coast area, the amount of brick or stone being required increases weights or stresses on the framing. Hand-outs were distributed showing a similar hotel that was recently constructed in Oklahoma, designed by the same architect.

Commissioners who served on the subcommittee that developed the design guidelines offered their perspective on the requirements.

**Motion by Commissioner Warren to table a request by La Porte Lodging Hospitality LLC for a waiver to the city's Design Guidelines (Exterior Façade Materials) for the proposed Fairfield Inn & Suites at 711 Highway 146 South.**

**Second by Commissioner Martin. Motion carried.**

**Ayes: Commissioners Warren, Barrera, Martin, Follis, Bird, and Lawler**

**Nays:**

**7. Discussion on Chapter 106 (Zoning) follow-up items for review.**

City Planner Eric Ensey presented the staff report on the follow-up items from the Chapter 106 (Zoning) review. At the February 19<sup>th</sup> meeting, the Commission directed staff to draft language to the various sections of the chapter that was discussed:

*1.) Tree Preservation (Section 106-801, 802, 803)*

*No change was made to the cost of tree replacement, which is \$50 per inch, with a cap of \$100,000.*

*An exclusion was added for individual single-family residential lots (Section 106-801).*

*No modification was made to the requirement for a tree survey or tree disposition plan (Section 106-802).*

*2.) Outdoor Storage in Main Street District (Section 106-511(c))*

*Staff added a definition of "outdoor storage" to the Section 106-1 (Definitions). As drafted, this definition only relates to non-residential properties.*

*The language in Section 106-773 (Exterior storage) addresses residential properties.*

*No modifications are proposed for the prohibition of outdoor storage in the Main Street Overlay between Highway 146 and Virginia Street (Section 106-511). This will remain and is clarified with the new definition of "outdoor storage."*

*Temporary Signage (106-877)*

*An exclusion was added for governmental signs.*

*Language was added to allow for sandwich board signs in the Main Street District Overlay only, provided such signs be located in a safe manner and removed at the close of each business day.*

The Commission approved the draft language. A public hearing on the zoning amendments will be scheduled for an upcoming Commission meeting.

**8. Administrative reports.**

There were no administrative reports.

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

Commissioners commented on how well the group worked together.

**10. Adjourn**

**Motion by Commissioner Warren to adjourn.**

**Second by Commissioner Barrera.**

Chairman Lawler adjourned the meeting.

Respectfully submitted,

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Peggy Lee  
Secretary, Planning and Zoning Commission

Passed and Approved on \_\_\_\_\_, 2015.

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Hal Lawler  
Chairman, Planning and Zoning Commission

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



**April 16, 2015**

## **AGENDA ITEM 4-6**

Consider approval of a Zone Change to rezone the property known as Reserve 1 of the Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 subdivision plat from GC, General Commercial, to R-1, Low Density Residential

Applicant: Jose Angel Sandoval Jr. (on behalf of the property owner Eddie V. Gray, Trustee)

*Eric J. Ensey, City Planner  
Planning and Development Department  
City of La Porte, Texas*

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

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### **ISSUE**

There was a previous application for a zone change on this property by the applicant that was recommended for approval by the Planning and Zoning Commission following a public hearing on June 19, 2014 and approved by the City Council on July 14, 2014. As a condition to that approval, the applicant was given 180 days from the Council's approval to vacate the lot and replat the property, which would have been January 14, 2015. Unfortunately the applicant was not able to obtain the necessary signatures for the vacating plat by the end of the 180 day period, so the ordinance did not go into effect. As a result the applicant is resubmitting the same zone change request. However, at this time the applicant has obtained the necessary signatures for the vacating plat and the document is ready to record with Harris County.

The issue at hand for the Planning and Zoning Commission is to consider a request by the applicant Jose Angel Sandoval Jr. (on behalf of the property owner Eddie V. Gray, Trustee) to rezone the property known as Reserve 1 of the Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 subdivision plat from GC, General Commercial, to R-1, Low Density Residential.

### **RECOMMENDATION**

Staff recommends the Planning and Zoning Commission recommend approval of the request by Jose Angel Sandoval Jr. (on behalf of the property owner Eddie V. Gray, Trustee) to rezone the property known as Reserve 1 of the Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 subdivision plat from GC, General Commercial, to R-1, Low Density Residential. Further, the recommendation should be conditioned to require the applicant to submit the final approved plat to be recorded with Harris County prior to the rezoning taking effect. Staff recommends allowing the applicant six (6) months to complete the platting process following City Council approval of the zone change. Should the applicant not receive approval of a plat within that six (6) month period of time, the zone change would not go into effect.

### **DISCUSSION**

Property Owner:

Eddie V. Gray, Trustee

Applicant:

Jose Angel Sandoval, Jr. (on behalf of the property owner (Eddie V. Gray, Trustee))

Applicant's Request:

The Applicant is seeking to purchase the parcel of land known as Reserve 1, Fairmont Park Business Park Reserves 1, 3, 4, 5, and 6 from the Property Owner and desires to construct his single family residence on the property. The attached Exhibit A includes the Zone Change Permit Application submitted by Mr. Sandoval. The applicant is requesting approval of a rezoning of the property from GC, General Commercial, to R-1, Low Density Residential. The attached Exhibit B is an Aerial Map showing the location of the subject property.

Background Information:

The subject site is approximately 0.809 acres and is located on Farrington Boulevard just north and east of Fairmont Parkway. The legal description of the parcel is Reserve 1, Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6. The attached Exhibit C is the recorded subdivision plat.

The site is currently zoned GC, General Commercial, and is vacant. The attached Exhibit D shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	R-1, Low Density Residential	Existing single family residential (Fairmont Park East Subdivision)
<b>South</b>	GC, General Commercial	Dollar General (10405 W. Fairmont Parkway) and Millennium Car Care (10401 W. Fairmont Parkway)
<b>West</b>	R-1, Low Density Residential	Existing single family residential (Fairmont Park East Subdivision)
<b>East</b>	R-1, Low Density Residential	Existing single family residential (Fairmont Park East Subdivision)

The City of La Porte's Land Use Map identifies this parcel as low density residential. See the attached Exhibit E identifying the Land Use Map for this area. Low Density Residential is defined in the Comprehensive Plan as consisting of single family residential uses with minimum lot area ranging from 4,500 to 43,560 square feet.

Notification Requirements:

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; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City’s website in compliance with state law.

**Analysis:**

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

1. *Land Use.* Although the subject site is currently zoned GC, General Commercial, the City’s adopted Future Land Use Map identifies the parcel as low density residential. The applicant desires to construct a single family detached house on the property and use it as his place of residence. Should the City Council ultimately approve the zone change to R-1, the proposed low density single family use will have less negative impacts on the existing single family detached residential (Fairmont Park East Subdivision) to the north and east than if a commercial use was constructed on this site as currently permitted. In other words, the intensity of use will be less with rezoning the property to R-1.
2. *Access.* The site has direct access to Farrington Boulevard, which is sufficient.
3. *Utilities.* There are the necessary sanitary sewer and water utilities located in close proximity to the site in the Farrington right-of-way.
4. *Density.* The applicant’s proposed single family residence will be consistent with the density requirements of the R-1, Low Density Residential District. The attached Exhibit F is Subdivision I of Chapter 106 (Zoning), which includes sections pertaining to permitted residential uses (106-331) and residential area requirements (106-333). Any residential development will be required to meet all applicable regulations of the district at time of building permit.

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.

<b>Criterion:</b>	<b>Staff Findings:</b>
Ability of infrastructure to support the permitted use.	The subject property is in close proximity to existing water and sewer lines and can utilize those lines for tap connections.
Impact on the value and practicality of the surrounding land uses.	The proposed single family residential use of this property, should it be rezoned to R-1, will not have an adverse impact on the surrounding property owners. Additionally, the proposed use would be a less intense use than the existing GC zoning would allow if developed commercially.
Conformance of a zoning request with the land use plan.	The proposed rezoning is consistent with the City’s land use plan, which identifies the site as low density residential.
Character of the surrounding and adjacent areas.	Rezoning the subject property to R-1 is consistent with the existing zoning of adjacent properties to the north and east, which are also zoned R-1 and contain existing single family residential.

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 Zone Change, Reserve 1, Fairmont Park East Business Park

Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	The property is suitable for the uses that would be permissible under the R-1 regulations.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed low density residential use would have less impact on the traffic in the vicinity than if the site were to develop commercially as it is currently zoned.
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 low density residential use would not create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed low density residential use would contribute to the City's goal of enhancing community character and creating quality neighborhoods and housing as identified in the Comprehensive Plan.

Based on the above analysis, staff supports the request by the applicant to rezone the subject property from GC, General Commercial, to R-1, Low Density Residential. However one item remains that will need to be addressed by the applicant before the rezoning can go into effect.

The subject site is part of the Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 subdivision plat, which specifically identifies all reserve lots as commercial properties. As a result, the applicant will need to apply for and receive approval of a subdivision plat in accordance with City requirements that will remove the commercial restriction on the subject parcel from the existing plat.

Staff is recommending a condition of approval be included with the rezoning request requiring the applicant to submit and receive approval of a plat in accordance with City requirements prior to the rezoning taking effect. This condition should further provide the applicant 180 days to complete the platting process following City Council approval of the zone change. Should the applicant not receive approval of a plat within the 180 day period of time following City Council's approval, then the zone change would not go into effect.

**ATTACHMENTS**

- Exhibit A: Zone Change Permit Application
- Exhibit B: Aerial Map
- Exhibit C: Fairmont Park East Business Park Reserves 1, 3, 4, 5, and 6 Plat
- Exhibit D: Zoning Map
- Exhibit E: Land Use Map
- Exhibit F: Subdivision I of Chapter 106, Residential Uses

City of La Porte  
604 W. Fairmont Pkwy.  
La Porte, TX 77571

Planning & Development Department  
**ZONE CHANGE PERMIT APPLICATION**

Phone: 281.470.5073  
Fax: 281.470.5005  
www.laportetx.gov

**1. PROPERTY OWNER CONTACT INFORMATION:**

OWNER'S NAME: Eddie V. Gray, Trustee PHONE 1: 281-422-3677  
PHONE 2: \_\_\_\_\_ FAX #: \_\_\_\_\_  
E-MAIL: edgray@grayent.com; jwahrlich@grayent.com  
MAILING ADDRESS: P O Box 638, Baytown, TX 77522-0638

**2. AGENT REPRESENTING PROPERTY OWNER (If Applicable):**

AGENT / CONTRACTOR COMPANY: Jose Angel Sandoval Jr.  
PHONE 1: 832-526-3037 PHONE 2: \_\_\_\_\_  
E-MAIL: jsandoval13@aol.com SBCGLOBAL.NET FAX #: \_\_\_\_\_  
MAILING ADDRESS: 1608 Meadow Park Dr. La Porte, TX 77571  
CONTACT PERSON'S NAME: Jose Angel Sandoval Jr. PHONE: 832-526-3037

**3. PROPERTY DESCRIPTION:**

HCAD PARCEL NO(s) 13-digit Tax ID(s):  
1.) 1257420000001  
2.) \_\_\_\_\_  
3.) \_\_\_\_\_  
PROPERTY ADDRESS (if existing): .80 Acres on Farrington behind Shell Station - See attached map  
PROPERTY LEGAL DESCRIPTION: Res 1 of Reserves 1 3 4 5 & 6 Fairmont Park Business Park

**4. ZONING INFORMATION OF PROPERTY:**

CURRENT ZONING DESIGNATION: General Commercial REQUESTED ZONING DESIGNATION: Single Family Residential  
CURRENT SIC/NAICS USE NO.: \_\_\_\_\_ PROPOSED USAGE: Single Family Residential

**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (Check applicable boxes):**

- COMPLETE ITEMS 1-5 OF PERMIT APPLICATION
- ATTACH CERTIFIED PLAN (check applicable box(es)):
  - GENERAL PLAN
  - MINOR DEV. SITE PLAN
  - MAJOR DEV. SITE PLAN
  - PRELIM. PLAT
- SUBMIT NON-REFUNDABLE \$300.00 APPLICATION FEE

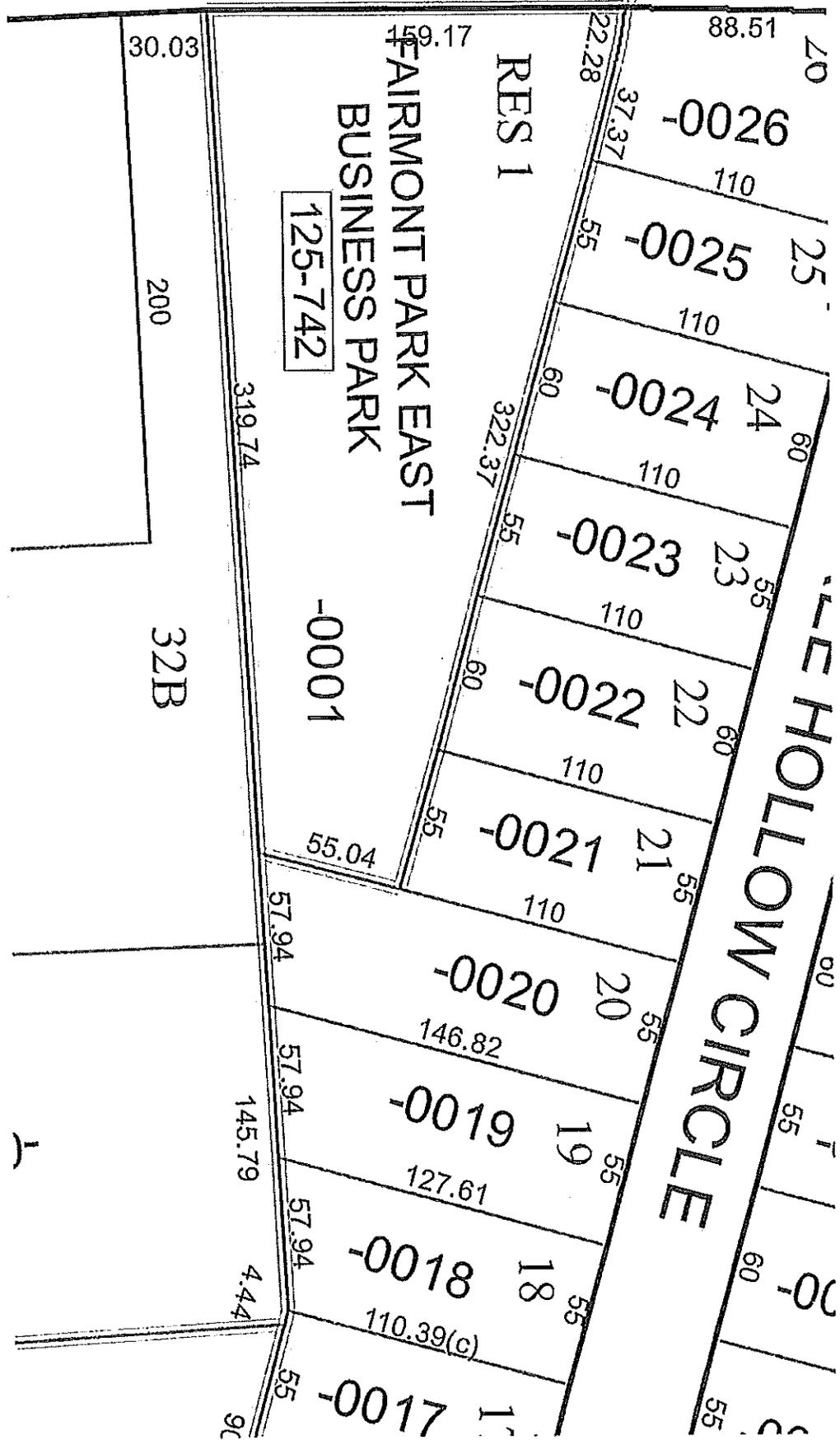
PRINTED NAME: Eddie V. Gray, TRUSTEE SIGNATURE: *Eddie V. Gray, Trustee* DATE: 5-5-14

**(STAFF USE ONLY):** APPLICATION NO: \_\_\_\_\_

DATE OF P&Z PUBLIC HEARING: \_\_\_\_\_ RECOMMENDATION:  YES  NO  
APPLICANT & ADJACENT OWNERS NOTIFIED:  YES  NO DATE OF NOTIFICATION: \_\_\_\_\_  
DATE OF CITY COUNCIL AGENDA: \_\_\_\_\_ APPROVED:  YES  NO  
ADOPTED BY ORDINANCE NO.: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

TON BLVD



# EXHIBIT 'B'

## VICINITY MAP

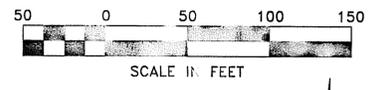


1 inch = 200 feet

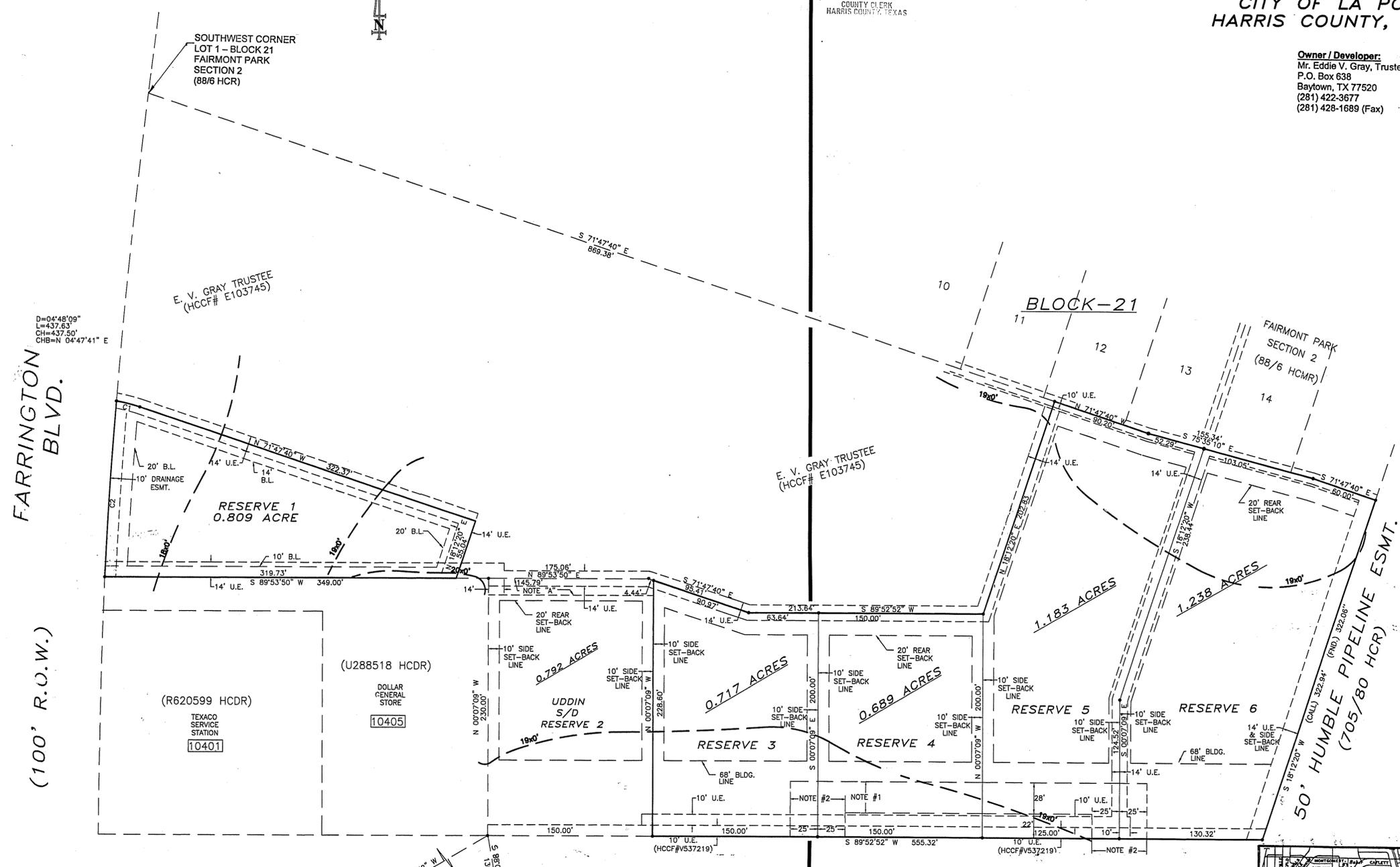
FAIRMONT PARK EAST  
BUSINESS PARK  
RESERVES 1, 3, 4, 5 AND 6  
CITY OF LA PORTE  
HARRIS COUNTY, TEXAS

Owner / Developer:  
Mr. Eddie V. Gray, Trustee  
P.O. Box 638  
Baytown, TX 77520  
(281) 422-3677  
(281) 428-1689 (Fax)

FILED  
04 AUG 11 PM 1:16  
X834401  
08/11/04 00162074 \$110.00  
County Clerk  
HARRIS COUNTY, TEXAS



CURVE #	RADIUS	ARC	DELTA
C1	140.00'	22.28'	09°07'12"
C2	5221.11'	159.17'	01°44'48"

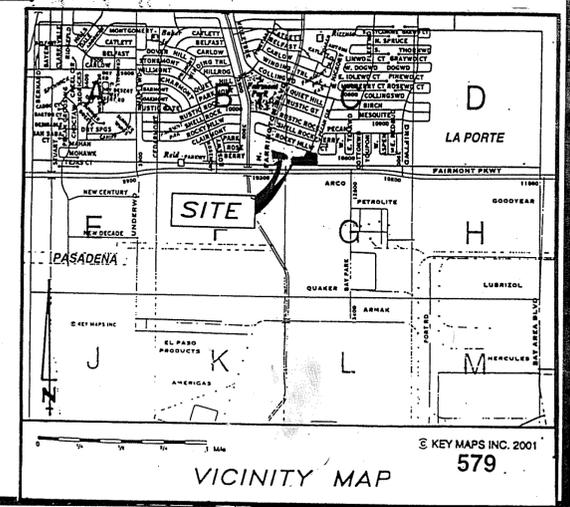


SIDEWALKS  
SIDEWALKS WILL BE CONSTRUCTED BY THE  
RESERVE BUILDER ALONG THE EAST SIDE  
OF FARRINGTON BLVD., AND THE NORTH SIDE  
OF FAIRMONT PARKWAY

NOTE #1:  
28' COMMON USE ACCESS EASEMENT  
RESERVES 3, 4, 5, AND 6  
AND UTILITY EASEMENT

NOTE #2:  
50' COMMON USE ACCESS EASEMENT  
RESERVES 3, 4, 5, AND 6  
AND UTILITY EASEMENT

NOTE "A":  
15' easement for future driveway.  
This easement to be void if  
easements to West or East are  
not provided within 18 months.



FAIRMONT PARK EAST  
BUSINESS PARK  
RESERVES 1, 3, 4, 5 AND 6  
CITY OF LA PORTE  
HARRIS COUNTY, TEXAS

GULF COAST ENGINEERING  
AND SURVEYING  
P.O. BOX 382 LAMARQUE, TEXAS 77568

JAMES W. GARTRELL JR. P.E., RP.S.  
TELEPHONE NUMBERS  
TEXAS CITY 409 935-2462  
HOUSTON 281 766-9699  
DATE: REV.

JULY 16, 2004  
JULY 1, 2004

SHEET NUMBER  
FINAL  
PLAT  
PAGE 1 OF 2  
JOB NO.

DRAWING NUMBER

FAIRMONT PARK EAST BUSINESS PARK  
RESERVES 1, 3, 4, 5 AND 6  
FINAL PLAT  
MYLAR  
1/2

SAFCO PRODUCTS • NEW HOPE, MINNESOTA  
REFRIGER BY PART NUMBER 6282  
POSITION EDGE OF PRINT ON THIS LINE

KEY MAPS INC. 2001  
579

FAIRMONT PARK EAST BUSINESS PARK RESERVES 1, 3, 4, 5 AND 6 City of La Porte, Harris County, Texas

BEING A 4.747 ACRES TRACT OF LAND OUT OF THE WILLIAM M. JONES SURVEY, ABSTRACT NO. 482, HARRIS COUNTY, TEXAS

Owner / Developer: Mr. Eddie V. Gray, Trustee P.O. Box 638 Baytown, TX 77520 (281) 422-3677 (281) 428-1689 (Fax)

Table with 2 columns: Reserve, Area. Rows: Reserve 1 (0.920 Acre), Reserve 3 (0.717 Acre), Reserve 4 (0.689 Acre), Reserve 5 (1.183 Acres), Reserve 6 (1.238 Acres), TOTAL: 4.747 ACRES

STATE OF TEXAS ) COUNTY OF HARRIS )

Know all men by these presents that I, EDDIE V. GRAY, TRUSTEE, of FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5, AND 6, of the tract comprising the property subdivided in the above and foregoing map FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5, AND 6, do hereby make subdivision of said property according to the lines, streets, buildings lines, and easements therein shown, and designate said subdivision as " FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5, AND 6", in the William M. Jones Survey, A-482, La Porte, Harris County, Texas, and to the public use, as such, the streets and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and do hereby bind myself, my heirs and assigns, to warrant and defend the title to the land so dedicated.

There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon, except storm sewer and underground easements. I further covenant and agree with the City of La Porte and for any property owner that utility easements shown in adjacent acreage are hereby established as shown.

FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, such restrictions shall run with the title to the property and shall be enforceable, at the option of the City of La Porte or any citizen thereof.

In testimony, whereof, signed by EDDIE V. GRAY, TRUSTEE, this 26th day of July, A.D., 2004.

Eddie V. Gray, Trustee EDDIE V. GRAY, TRUSTEE

STATE OF TEXAS ) COUNTY OF HARRIS )

BEFORE ME, the undersigned authority, on this day personally appeared, EDDIE V. GRAY, Trustee, 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 considerations therein set forth.

Given under my hand and seal of office this 26th day of July, 2004.

Sara S. Hart Notary Signature

Notary Printed Name

My Commission Expires:



RECORDER'S MEMORANDUM: At the time of recording, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

I, BEVERLY B. KAUFMAN, Clerk of the County Court of Harris, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on August 11, 2004, at 1:16 O'clock, and in Film Code No. 204-0341 of the Map Records of Harris County, Texas. And Recorded on August 12, 2004 at 12:30 PM. Witness my hand and seal of office, at Houston, the date and date last above written.

BEVERLY B. KAUFMAN Clerk of the County Court of Harris County, Texas

Deputy EDDIE V. GRAY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THIS CERTIFICATE IS VALID ONLY AS TO THE INSTRUMENT ON WHICH THE ORIGINAL SIGNATURE IS AFFIXED AND ONLY THEN TO THE EXTENT THAT SUCH INSTRUMENT IS NOT ALTERED OR CHANGED AFTER RECORDING.

FAIRMONT PARK EAST BUSINESS PARK RESERVES 1, 3, 4, 5 AND 6

GULF COAST ENGINEERING AND SURVEYING P.O. BOX 382 LAMARQUE, TEXAS 77568 JAMES W. GARTRELL, JR., P.E., R.P.S. TELEPHONE NUMBERS: TEXAS CITY -409-935-2463 HOUSTON -281-418-6969

July 1, 2004 JUNE 24, 2004 SHEET NUMBER FINAL PLAT Page 2 of 2 JOB NO.

PROPERTY DESCRIPTION RESERVE 1 (0.809 ACRES)

DESCRIPTION OF A 0.809 ACRE TRACT OUT OF THE WILLIAMS JONES SURVEY, ABSTRACT NO. 482, HARRIS COUNTY, TEXAS

COMMENCING at the Southwest corner of Lot 1, in Block 21, Fairmont Park, Section 2, a Subdivision in Harris County, Texas, according to the Map Recorded in Plat Book 88, Page 6, of the Harris County Records, said point lying in the East right of way line of Farrington Boulevard, 100 foot right of way;

THENCE S71°47'40"E, along the South line of Fairmont Park, Section 2, a distance of 869.38 feet to a point for corner;

THENCE continuing S71°47'40"E, along the South line of Fairmont Park, Section 2, a distance of 90.20 feet to a point for corner;

THENCE S75°35'10"E, continuing along the South line of Fairmont Park, Section 2, a distance of 155.34 feet to a point for corner;

THENCE S71°47'40"E, continuing along the South line of Fairmont Park, Section 2, a distance of 60.00 feet to the Southeast corner of Fairmont Park, Section 2, said point lying in the Westerly line of a Humble Pipeline Easement, recorded in Volume 705, Page 80, in the Harris County Records;

THENCE S18°12'20"W, along the Westerly line of said Humble Pipeline Easement, a distance of 322.06 feet to the Northerly right of way line of Fairmont Parkway, 250 foot right of way;

THENCE S89°52'52"W, along the Northerly right of way line of Fairmont Parkway, a distance of 555.32 feet a point for corner at the Southeast corner of Uddin Subdivision;

THENCE N00°07'09"W, along the East line of said Uddin Subdivision a distance of 228.60 feet to point for corner being the Northeast corner of said Uddin Subdivision;

THENCE N71°47'40"W, along the North line of Uddin Subdivision, a distance of 4.44 feet to an angle point in the North line of Uddin Subdivision;

THENCE S89°53'50"W, along the North line of Uddin Subdivision, the North line of Dollar General Store Tract, HCFW U288518, a distance of 175.06 feet to the Place of Beginning of the tract hereinafter described;

THENCE from said Beginning Point continuing S89°53'50"W, along the North line of Dollar General Store Tract, a distance of 319.73 feet to a point for corner in the Easterly right of way line of Farrington Boulevard, 100 foot right of way;

THENCE in a Northerly direction along the Easterly right of way line of Farrington Boulevard, 100 foot right of way, around a curve to the right whose radius is 5221.11 feet, whose chord bears N3°15'55"E 159.17 feet, a distance of 159.17 feet to a point for corner;

THENCE in an Easterly direction around a curve to the right whose radius is 140.00 feet, whose chord bears S76°21'16"E 22.26 feet, a distance of 22.28 feet to the P.T. of said curve;

THENCE S71°47'40"E, a distance of 322.37 feet to a point for corner;

THENCE S18°12'20"W, a distance of 55.01 feet to the Place of Beginning.

PROPERTY DESCRIPTION RESERVES 3, 4, 5 AND 6 (3.827 ACRES)

DESCRIPTION OF A 3.827 ACRE TRACT OUT OF THE WILLIAMS JONES SURVEY, ABSTRACT NO. 482, HARRIS COUNTY, TEXAS

COMMENCING at the Southwest corner of Lot 1, in Block 21, Fairmont Park, Section 2, a Subdivision in Harris County, Texas, according to the Map Recorded in Plat Book 88, Page 6, of the Harris County Records, said point lying in the East right of way line of Farrington Boulevard, 100 foot right of way;

THENCE S71°47'40"E, along the South line of Fairmont Park, Section 2, a distance of 869.38 feet to the Place of Beginning of the tract hereinafter described;

THENCE from said Beginning Point continuing S71°47'40"E, along the South line of Fairmont Park, Section 2, a distance of 90.20 feet to a point for corner;

THENCE S75°35'10"E, continuing along the South line of Fairmont Park, Section 2, a distance of 155.34 feet to a point for corner;

THENCE S71°47'40"E, continuing along the South line of Fairmont Park, Section 2, a distance of 60.00 feet to the Southeast corner of Fairmont Park, Section 2, said point lying in the Westerly line of a Humble Pipeline Easement, recorded in Volume 705, Page 80, in the Harris County Records;

THENCE S18°12'20"W, along the Westerly line of said Humble Pipeline Easement, a distance of 322.06 feet to the Northerly right of way line of Fairmont Parkway, 250 foot right of way;

THENCE S89°52'52"W, along the Northerly right of way line of Fairmont Parkway, a distance of 555.32 feet a point for corner at the Southeast corner of Uddin Subdivision;

THENCE N00°07'09"W, along the East line of said Uddin Subdivision a distance of 228.60 feet to point for corner being the Northeast corner of said Uddin Subdivision;

THENCE S71°47'40"E, a distance of 90.97 feet to a point for corner;

THENCE N89°52'52"E, a distance of 213.64 feet to a point for corner;

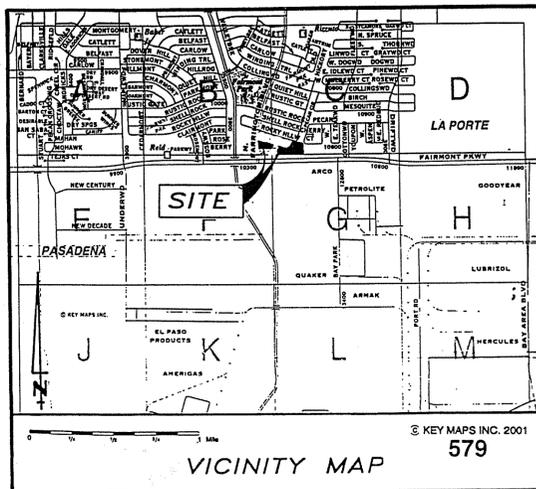
THENCE N18°12'20"E, a distance of 202.83 feet to the Place of Beginning.

Filing Date: March, 2004

Zoning: General Commercial (GC)

Note: Subdivision Monumentation (Elevation to be set on Final Plat)

Flood Zone "X" Firm Map #48201C0940J Revised: 11/06/96



I, JAMES W. GARTRELL, JR., registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be marked with 5/8" iron rods not less than thirty (30) inches in length and that this plat substantially complies with the requirements as specified in the City of La Porte Development Ordinance.

I, JAMES W. GARTRELL, JR., am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above plat is true and correct and that all bearings, distances, angles, curve radiuses, and central angles are accurately shown on the plat.

James W. Gartrell, Jr., R.P.L.S. Texas Registration No. 1445

I, JAMES W. GARTRELL, JR., do hereby certify that this plat correctly represents a survey under my supervision, and that the facts as found on the ground at the time of the survey are as shown.

WITNESS MY HAND AND SEAL THIS 16th DAY OF June 2004

James W. Gartrell, Jr. Texas Registered Professional Land Surveyor No. 1445

This is to certify that EDDIE V. GRAY, Trustee of FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5 AND 6, of land being plotted or subdivided known as FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5, AND 6, approved by the La Porte City Planning and Zoning Commission, authorized Beverly B. Kaufman, County Clerk of Harris County, Texas or her authorized Deputy to return the original recorded map or plat of said subdivision only to the Director of the City of La Porte's Community Development Department or to his authorized representative, who shall file such original recorded map or plat in the permanent records of that Department.

Nick Finan Director, City of La Porte Planning Department

Eddie V. Gray, Trustee Eddie V. Gray, Trustee

This is to certify that the City Planning Department of the City of La Porte, Texas has approved this set of Improvement & Construction plans of FAIRMONT PARK EAST, BUSINESS PARK, RESERVES 1, 3, 4, 5 AND 6, in conformance with the ordinances of the City of La Porte and authorized the recording of this set of Improvement & Construction Plans this 16th day of June, 2004.

Nick Finan Director, City of La Porte Planning Department

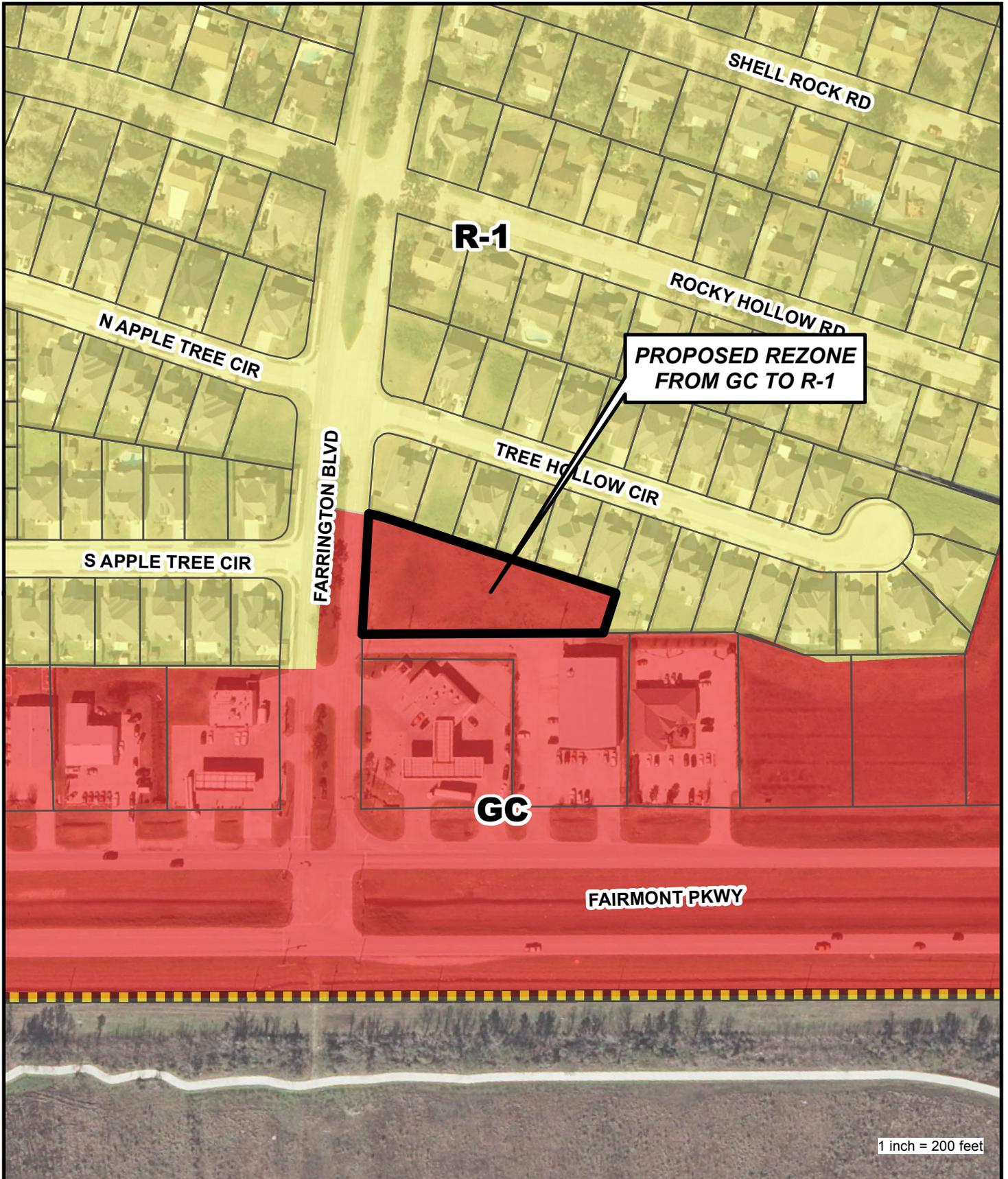
La Porte City Engineer

Chairman, La Porte Planning and Zoning Commission

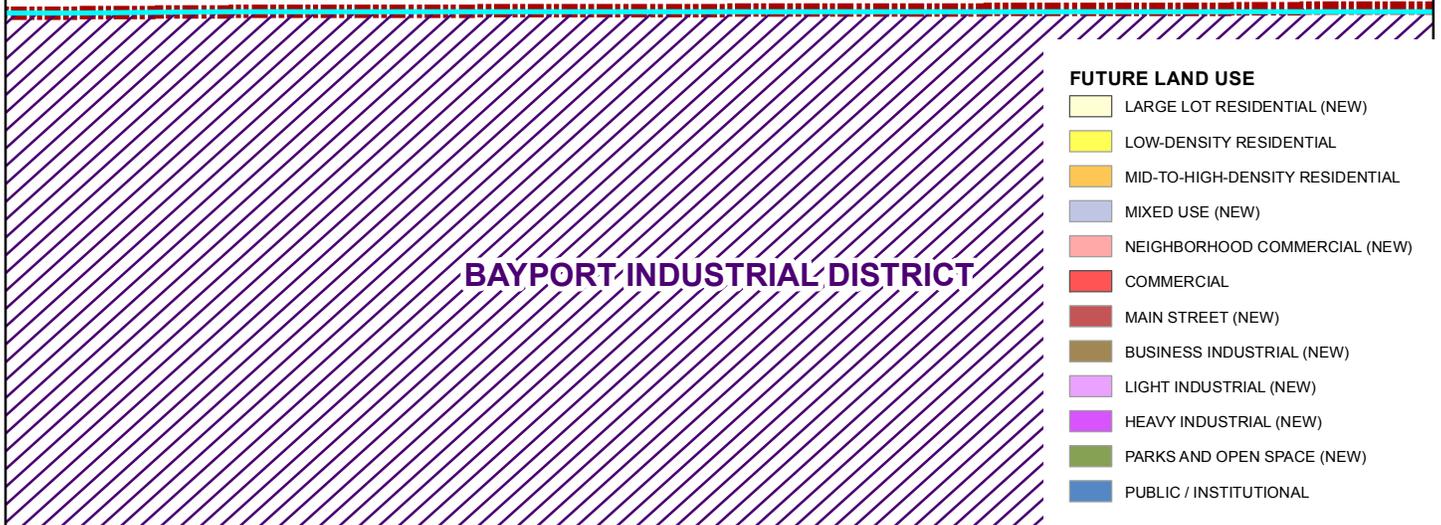
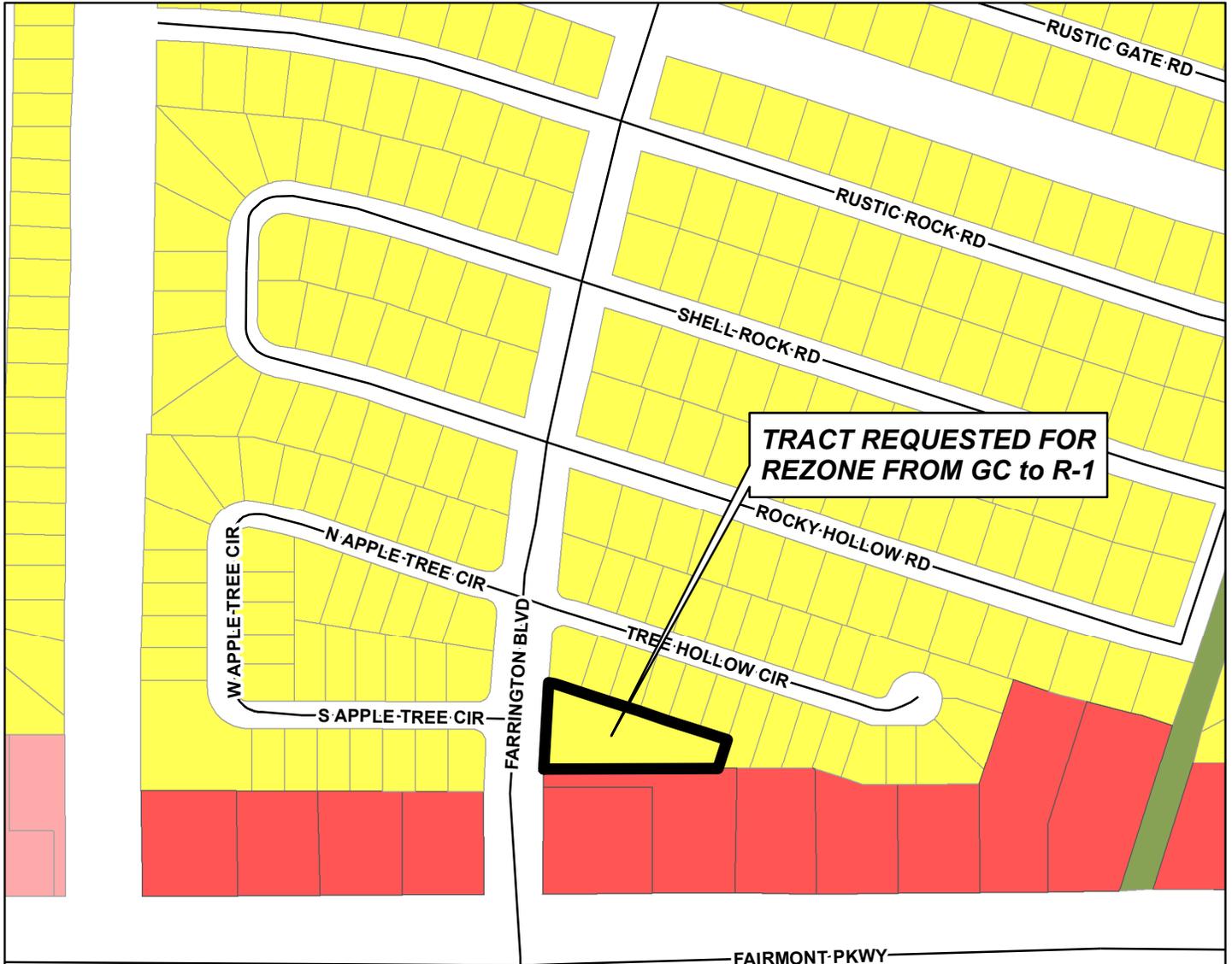
Secretary, La Porte Planning and Zoning Commission

# EXHIBIT 'D'

## ZONING DISTRICT



# EXHIBIT 'E' LAND USE MAP



La Porte, Texas, Code of Ordinances >> Subpart B - LAND USE REGULATIONS >> **Chapter 106 - ZONING >> ARTICLE III. - DISTRICTS >> DIVISION 2. - RESIDENTIAL DISTRICT REGULATIONS >> Subdivision I. Generally >>**

**Subdivision I. Generally**

[Sec. 106-331. Table A, residential uses.](#)

[Sec. 106-332. Interpretation and enforcement.](#)

[Sec. 106-333. Table B, residential area requirements.](#)

[Sec. 106-334. Special use performance standards: residential.](#)

[Secs. 106-335—106-350. Reserved.](#)

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

P(A—K)—Permitted uses (subject to designated criteria established in section 106-334).

P—Permitted uses.

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

C—Conditional uses (subject to requirements of sections [106-216](#) through [106-218](#) and designated criteria established in section 106-334 as determined by the planning and zoning commission).

\*—Not allowed.

Uses (SIC Code #)	Zones				
	R-1	R-2	R-3	MH	LL
Agricultural production, (011–019 crops)	P	P	P	P	P
Agricultural production, (027 animal specialties - breeding or sale)	C	*	*	*	C
Bed and breakfast as defined by section 106-1	C	C	C	*	C
Breeding kennels, private stock, limited to dogs and cats, large lot residential	A	A	C	C	A
Boarding kennels	*	*	*	*	P
Domestic livestock—Large residential lot	A	A	A	A	P
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)	*	*	*	*	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	*	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 multifamily dwellings	*	P	P	*	*
Multifamily (over 4 units)	*	*	P	*	*

Modular housing on a permanent foundation system as defined in section 106-1	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	C	P	*
Manufactured housing subdivisions (restricted to H.U.D. certified mobile homes on permanent foundation systems)	*	C	*	*	
Manufactured housing parks	*	*		* P (F, D)	*
Manufactured housing	*	*	*	P	*
Group care facilities no closer than 1,000 feet to a similar use (836)	*	*	C	*	*
Group care facilities (similar to SIC Industry Group #836 - Except halfway homes for delinquents and offenders; juvenile correctional homes; orphanages; homes for destitute men & women; self-help group homes for persons with social or personal problems; and training schools for delinquents):					
(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) (835)	*	P	P	P	*
Freestanding on-premises identification sign; townhouses, multi-family developments, group care facilities (except when located within a residential neighborhood), subdivisions, education and religious facilities					See article VII of this chapter
Residential PUD (refer to section 106-636)	*	C	C	C	*
Public parks and playgrounds	P	P	P	P	P
Recreational buildings and community centers (832)	C	P	P	P	C
Religious institutions (866)	C	P (AB)	P (AB)	P (AB)	C
Public or private educational institutions limited to elementary, junior and senior high (8211)	C	P	P	P	C
Junior colleges and technical institutes (8222)	*	C	P	*	*
Boardinghomes (7021)	*	P	P	*	*
Civic, social and fraternal organizations (8641)	*	*	C	*	*
Convalescent homes, sanitarium, nursing or convalescent homes (805)	*	*	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 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)	C	C	C	C	C
Secondary dwelling units	C	P	P	*	C

(Ord. No. 1501-JJ, § 6, 10-14-02; Ord. No. 1501-T4, § 6(Exh. F), 10-24-05; Ord. No. 3453, § 2, 12-10-12; Ord. No. 2012-3406, § 2, 3-26-12)

**Sec. 106-332. Interpretation and enforcement.**

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

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

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

Uses <sup>8</sup>	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, 15	Maximum Height	Minimum Site Area/Unit S.F. 7	Minimum Development Open Space/Unit S.F.	Maximum Lot Coverage/Minimum Landscaping Required 9, 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 DU/A	Footnote # 1	60%/25%
Manufactured housing	4500	40	20-10-5	25 Ft.	7300 6.0 DU/A	Footnote # 1	60%/6%
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
Group care facilities (less than 6) and day care homes			25-20-10	25 Ft.	N/A	N/A	N/A/6%
Group Care Facilities/State Licensed & Registered Child-care homes (Max.	Same as Principal Structure						

(12) in private home; per Tx. Dept. of Family & Protective Services)							
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/6%
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 <a href="#">section 106-416</a> Special Regulations						

*Table B footnotes.*

1

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 multifamily residential developments:* Minimum of 25 percent of the total development regardless of size of development.

(ii) *For townhouse/quadruplex 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](#) through 106-679, 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 must be ten 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 Standard Building Code, 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 Southern Building Code.
- 9 See article V, division 4 of this chapter for additional requirements.
- 10 No sign shall be located in a sight triangle so as to obstruct traffic visibility at a level between three feet and six feet as measured above adjacent road grade.
- 11 In the case of multifamily 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.
- 12 Within the building setback, there must be a ten-foot opaque screen consisting of shrubs and fencing. (See section 106-334(i) for screening and fencing requirements.)
- 13 Residential developments that are townhouses, quadruplexes, or multi-family dwelling units must have a minimum of 25 percent landscaping.
- 14 Multifamily 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.
- 15 In the case of multifamily 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.
- 16 In the case of multifamily residential developments being adjacent to single-family residential developments, the buildings within the multifamily 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 multifamily residential developments may be three-stories in height.
- 17 Multifamily residential developments cannot exceed 180 dwelling units.
- 18 See section 106-334(i)(3) for open space utilization criteria.
- 19 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.
- 20 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.)

*(Ord. No. 1501-JJ, § 6, 10-14-02; Ord. No. 1501-LLLL, § 6(Exh. F), 4-25-05; Ord. No. 1501-T4, § 6(Exh. F), 10-24-05; Ord. No. 3242, § 1, 4-26-10; Ord. No. 3453, § 3, 12-10-12; Ord. No. 2012-3406, § 3, 3-26-12)*

**Cross reference**— *Contents of mobile home park plans, § 98-92; minimum area requirements for mobile home parks, § 98-95; location of mobile homes with respect to property lines and public streets, § 98-99.*

## **Sec. 106-334. Special use performance standards; residential.**

- (a) **Landscape buffers.**
- (1) A landscape buffer planted with grass or evergreen ground cover and also planted with trees shall be provided. No buildings or refuse containers shall be placed in such areas.

- (2) Standards:
    - a. Minimum width of planting strip: Four feet.
    - b. A planting plan specifying the location and species of trees to be planted as well as the type of grass or ground cover to be utilized shall be submitted for approval by the director or his duly authorized representative.
  - (3) Screening will be required in the following situations:
    - a. Parking areas for recreational buildings, community centers, religious, and private and public educational institutions.
    - b. Manufactured housing parks and subdivisions screened from abutting uses.
  - (4) Required screening will count toward the required percentage of landscaping.
  - (5) Required landscaping must be maintained by the property owner and/or occupant.
- (b) *Traffic control.* The traffic generated by a use shall be channelized and controlled in a manner that will avoid congestion on public streets, safety hazards, or excessive traffic through low density residential areas. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements, and shall be subject to the approval of the director. The proposed development should be adequately served by a collector or arterial street without circulating through low density residential uses or districts in the following cases:
- (1) Junior or senior high school, junior colleges and technical institutes.
  - (2) Manufactured housing subdivisions.
- (c) *Compatibility with surrounding area.* The architectural appearance and functional plan of the building(s) and site shall reflect the building character of the area and shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the development. The proposed development is to be compatible with the existing and planned use of the area and conflicts are not to be created between the proposed use and existing and intended future use of the surrounding area.
- (d) *Required license obtained.* All necessary governmental permits and licenses are secured with evidence of such placed on record with the city.
- (e) *Compatible alterations and adequate parking.* Adequate parking as required by article VI of this chapter must be provided on the lot and not within any required front yard. Any exterior alterations must be compatible with the existing structure, and the surrounding neighborhood.
- (f) *Manufactured housing criteria (manufactured housing parks only).* A preliminary certified site plan must be submitted simultaneously with the submissions required in the mobile home park ordinance of the city and the city development ordinance, that illustrates compliance with the following:
- (1) Legal description and size in acres of the proposed manufactured housing park. Such park shall not be less than five acres.
  - (2) Locations and size of all manufactured housing sites, dead storage area, recreation areas, laundry drying areas, roadways, parking sites, and all setback dimensions (parking areas, exact manufactured housing sites, etc.).
  - (3) Preliminary landscaping plans and specifications.
  - (4) Location and width of sidewalks.
  - (5) Plans of sanitary sewer disposal, surface drainage, water systems, electrical service, and gas service.

- (6) Location and size of all streets abutting the manufactured housing park and all driveways from such streets to the manufactured housing park.
  - (7) Preliminary road construction plan.
  - (8) Preliminary plans for any and all structures.
  - (9) Such other information as required or implied by these standards or requested by public officials.
  - (10) Name and address of developer or developers.
  - (11) Description of the method of disposing of garbage and refuse and location of approved solid waste receptacles.
  - (12) Detailed description of maintenance procedures and ground supervision.
  - (13) Details as to whether all of area will be developed or a portion at a time.
  - (14) Density intensity regulations in compliance with Table B, residential.
  - (15) Compliance with the required number of off-street parking spaces.
  - (16) All private streets shall be a minimum of 28 feet wide and constructed in accordance with the public improvements criteria manual. The layout of such private streets shall be subject to approval by the fire chief, to ensure adequate emergency access.
  - (17) All manufactured housing shall have a minimum frontage of 20 feet on public or private streets.
  - (18) Perimeter fences required: Minimum six feet in height, opaque material.
- (g) *Density bonus.* Within single-family residential developments, a maximum of ten percent reduction in square feet of site area per unit for residential developments of 20 units or more shall be permitted as a conditional use based upon the following bonus features and square foot reduction:

	Bonus Feature	Square Foot Reduction Per Unit
(1)	Major outdoor recreational facilities such as swimming pools, tennis courts or similar facilities requiring a substantial investment.	250 square feet
(2)	Designation of developed open space for semipublic use adjacent to designated public greenway corridors equal to an additional 100 square feet per unit.	100 square feet

- (3) All required developed open space must be operated and maintained by a homeowners association, subject to the conditions established in sections [106-676](#) through 106-679, with all documentation required to be submitted for filing in conjunction with the final plat.
  - (4) The density bonus shall only be permitted per designated open space or major outdoor recreational facilities in excess of the requirements established in section 12.00 et seq., of the development ordinance number 1444, on file in the city secretary's office, including the credit given in section 12.02 for land dedicated by a developer within a development or subdivision for compensating open space on an acre per acre basis.
- (h) *Bed and breakfast* (as defined in sections 106-1 and 106-744):
- (1) Bed and breakfast shall be operated in accordance with the bed and breakfast and home occupation requirements of section 106-749.
  - (2) Additional required parking shall not be provided in any required front or side yard.

- (3) Bed and breakfasts shall comply with the boardinghouse requirements of the currently adopted edition of the Standard Housing Code and Life Safety Code (NFPA 101).
- (i) *Additional multifamily regulations.*
  - (1) *Screening.* A ten-foot opaque screen consisting of a combination of shrubs, fencing, and/or masonry wall must be created between multifamily residential developments adjacent to single-family residential developments.
    - a. *Location.* The required screen shall be located within the first ten feet of the building setback adjacent to the single-family residential district.
    - b. *Planting.* At the time of planting, the shrubs must be between four to six feet tall and create an opaque screen within one growing season.
      - i. All shrubs must be approved by planning department officials.
  - (2) *Fencing.* Every multifamily development within the city shall have a perimeter fence located along all sides abutting or facing the right-of-way, as well as along all sides abutting or facing single-family residential developments.
    - a. *Construction, maintenance of fence or wall.* Every fence or wall herein shall be constructed and maintained as follows:
      - i. All fences shall be constructed of wood, masonry, or wrought iron.
      - ii. All fences or walls shall extend downward to within three inches of the ground and shall test plum and square at all times.
      - iii. All fences or walls shall be constructed in compliance with all applicable provisions of the building code of the city.
    - b. *Gates at openings in enclosure.* Openings in the prescribed enclosure which are necessary to permit reasonable access to said multiple-family development shall be equipped with a gate or gates, constructed and maintained in accordance with the requirements for a fence or wall set forth in this section.
  - (3) *Recreational areas, facilities, and open space.*
    - a. The open space requirements for townhouses, quadruplexes and multifamily developments shall include a combination of the following:
      - i. Trails,
      - ii. Playgrounds (except in the case of "Senior Only" developments),
      - iii. Clubhouses, and/or
      - iv. On-site detention pond areas (Playgrounds are not to be located in the detention pond areas.).
  - (4) *Controlled access gates, if utilized:*
    - a. Shall be constructed set back from the street far enough to prevent traffic congestion from any vehicle traveling on the right-of-way adjacent to such controlled access gate, and
    - b. Must provide 24-hour access to emergency vehicles, including fire department, EMS, police department and utility company vehicles.
- (j) Group care facilities that provide food and shelter to three or fewer persons (aka community homes, residential personal care homes, living centers, assisted living centers and similar uses as identified in SIC Industry Group #836 (Residential Care), Industry #8361).
  - (1) Location: Facilities shall be permitted as a use-by-right in R-1 low density residential, R-2 mid density residential, R-3 high density residential, MH manufactured housing and LL large lot districts.
  - (2) Distance requirement: Group care facilities shall not be closer than 1,000 feet to a

- similar use (SIC Industry Group #836). Measurement shall be from the nearest boundary of the sites on which they are located.
- (3) Signage: Group care facilities located within a residential neighborhood shall be allowed to have one sign not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the principal building.
  - (4) Visual compatibility: There shall be no change in the outside appearance of the building or premises. No structural alterations shall be permitted that will cause the group care facility to be substantially distinguishable from other surrounding residential properties.
  - (5) Registration requirement: Facilities shall comply with all city regulations and register their facility with the city annually by obtaining a group care facility certificate. The certificate cost shall be at the rate established in appendix A, fees, of this Code, shall expire on December 31<sup>st</sup> of each year. Such fee shall be payable to the city on or before December 15<sup>th</sup> for the next succeeding calendar year. The fee provided for in this article shall not be subject to proration or reduction for payment for a period of less than 12 calendar months. Operation of a facility without first having obtained the required certificate shall be deemed a violation this article.
  - (6) Payment of taxes: All ad valorem taxes on any and all property, personal or real, necessary to the operation of the facility must be paid prior to the issuance or renewal of the certificate.
  - (7) Display of registration certificate: Every facility so registered shall display an active registration certificate in a conspicuous place, within the facility common area, so as to be easily seen by the public.
  - (8) Access to the facility: City personnel shall have right-of-entry to ensure safe habitability and public safety. City personnel shall advise on-site facility personnel of the purpose of their visit.
  - (9) Annual inspection: The fire marshal's office shall perform a minimum of one annual inspection for each group care facility. Facilities shall comply with all applicable city codes, ordinances, policies and regulations.
- (k) Facilities shall be in compliance with state regulations pertaining to group care facilities. To ensure compliance with state regulations, a copy of the facility's active state license shall be provided to the city, when requested by city staff.

(Ord. No. 1501-X, § 5, 12-16-96; Ord. No. 1501-JJ, § 6, 10-14-02; Ord. No. 2009-3173, § 1, 8-24-09; Ord. No. 2012-3406, § 4, 3-26-12)

*Cross reference— Construction or expansion plans for mobile home parks requirements, § 98-91.*

**Secs. 106-335—106-350. Reserved.**

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



**April 16, 2015**

## **AGENDA ITEM 7-9**

Consider recommendation of approval of a Special Conditional Use Permit (#15-91000001)  
to allow for construction of a secondary dwelling unit for a “mother-in-law” unit  
on the property located at 227 S. Y Street and also described as  
Lots 9 & 10, Block 1, Oakhurst Subdivision  
Applicant: Rhonda Carraway

*Eric J. Ensey, City Planner  
Planning and Development Department  
City of La Porte, Texas*

## Planning and Development Department Staff Report

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### ISSUE

Consideration of a request by Rhonda Carraway for a Special Conditional Use Permit (SCUP) to allow construction of a secondary dwelling unit for a “mother-in-law” suite at the property addressed 227 S. Y Street and further described as Lots 9 and 10, Oakhurst Subdivision.

### RECOMMENDATION

Should the Commission desire to consider a recommendation for approval of this request, staff recommends considering various conditions, as described later in this staff report.

### DISCUSSION

Applicant:

Rhonda Carraway

Applicant’s Request:

The applicant desires to construct a 1,984 square foot secondary dwelling on their property. This structure would house a garage, workshop and “mother-in-law” suite. The attached Exhibit A includes the SCUP Application, project description letter and site plan drawings submitted by the applicant.

Site:

The legal description of the subject parcel is Lots 9 & 10 of the Oakhurst Subdivision and is located east of S. Broadway between Wharton Weems and McCabe. The site contains an existing single family residential house. The attached Exhibit B is an area vicinity map showing the location of the applicant’s property.

Background Information:

The subject site is 8,000 square feet in area and is zoned R-1, Low Density Residential. The City of La Porte’s Land Use Map identifies this parcel as “low density residential.” The attached Exhibit C includes maps that show surrounding zoning and land use. The following table summarizes the surrounding zoning and land uses:

Planning and Zoning Commission Special Called Meeting  
 April 16, 2015  
 SCUP, Carraway Secondary Dwelling Unit

	Zoning	Land Use
<b>North</b>	R-1, Low Density Residential	Vacant lot; Existing single family detached residential at 222 S. Y Street
<b>South</b>	R-3, High Density Residential	Pelican Bay Townhomes
<b>West</b>	R-1, Low Density Residential	Vacant lot
<b>East</b>	R-1, Low Density Residential	Existing house at 219 S. Y Street

**Notification Requirements:**

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with all applicable code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City’s website as required by state law.

At the time this staff report was drafted, three response letters were received all in support of the request (see Exhibit D). Additionally, staff did meet with one property owner in Pelican Bay requesting additional information concerning the application but did not express any concerns with the proposal.

**Analysis:**

The city’s residential use table (Section 106-331) allows for secondary dwelling units in the R-1 district through consideration of a Special Conditional Use Permit. Although the zoning ordinance does not contain a definition of a secondary dwelling unit, a “mother-in-law suite” is commonly categorized as a secondary dwelling unit. The following are a number of considerations staff analyzed as part of this application:

*Use.*

There is currently a trend across the country to allow for secondary dwelling units on lots as mother-in-law suites. There is a desire by many to become the primary care-givers for a family member and have that family member in close proximity. Secondary dwelling units provide that ability while providing some privacy and separation through detaching the structure. The use of this site will remain single family detached residential, however the applicant is requesting consideration of this SCUP to allow for construction of a separate structure that will house her mother.

*Building Permit.*

Because this is residential development, a certified site plan is not required. However, the applicant will be required to submit all applicable information as part of the required building permit application. The proposed secondary dwelling will be required

to comply with all setback and other requirements outlined in the city’s Zoning Ordinance and will be reviewed at the time of building permit review.

*Driveway Access.*

The applicant’s preliminary layout shows that the proposed secondary dwelling will utilize the existing driveway. There are no plans at this time that indicate a separate driveway for the proposed secondary dwelling.

Conclusion:

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

<b>Condition:</b>	<b>Staff Analysis:</b>
(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.	The proposed secondary dwelling unit will be compatible with the use of other properties in the vicinity as it will still maintain the use of the property as single-family detached residential.
(2) That the conditions placed on such use as specified in each district have been met by the applicant.	The conditions staff is recommending are outlined in the following section of this staff report. Approval of this SCUP will allow the applicant to construct a secondary dwelling unit on the subject property, however the construction will need to comply with all applicable building and zoning codes. Those requirements will be reviewed by staff at the time of building permit submittal. The Commission has the authority to impose additional conditions on the SCUP.
(3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.	The applicant will need to verify whether or not the conditions imposed are acceptable.

Based on the analysis above, staff finds that if the Planning and Zoning Commission desires to recommend approval of the proposed Special Conditional Use Permit, then a number of conditions should be considered in the approval.

1. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process.

Planning and Zoning Commission Special Called Meeting  
April 16, 2015  
SCUP, Carraway Secondary Dwelling Unit

2. The plan shall comply with all applicable 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.
3. The proposed secondary dwelling unit shall only be used for residential purposes.

*[Any additional conditions requested by the Planning and Zoning Commission.]*

**ATTACHMENTS**

- Exhibit A: SCUP Application and Supplemental Information from the Applicant
- Exhibit B: Area Map
- Exhibit C: Zoning and Land Use Map
- Exhibit D: Notification Response Letters

City of La Porte  
604 W. Fairmont Pkwy.  
La Porte, TX 77571

Planning & Development Department  
**SPECIAL CONDITIONAL USE  
PERMIT APPLICATION**

Phone: 281.470.5073  
Fax: 281.470.5005  
www.laportetx.gov

**1. PROPERTY OWNER CONTACT INFORMATION:**

OWNER NAME: Rhonda Carraway PHONE 1: 713 5824830  
PHONE 2: 682 3512057 FAX #: \_\_\_\_\_  
E-MAIL: [REDACTED]  
MAILING ADDRESS: 227 Y Street La Porte TX 77571

**2. BUSINESS INFORMATION:**

BUSINESS NAME: N/A BUSINESS TYPE: \_\_\_\_\_  
CONTACT NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_ FAX #: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_

**3. PROPERTY DESCRIPTION:**

PARCEL NO(s) (13-digit HCAD Tax ID #): 0562630010009  
PROPERTY ADDRESS (if existing): 227 So. Y Street La Porte TX 77571  
PROPERTY LEGAL DESCRIPTION: LTS 9&10 BLK 1 Oakhurst

**4. SUPPORTING DOCUMENTATION (Check Applicable):**

GENERAL PLAN       SITE PLAN       PLAT

REASON FOR REQUEST?: To allow owner and her mother separate living areas for privacy.  
OWNER or AUTHORIZED AGENT'S SIGNATURE: [Signature]  
PRINTED NAME: Rhonda Carraway DATE: 2/22/2015

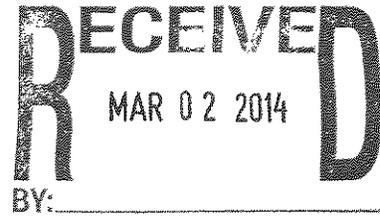
**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION: Plans in**

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLAN(S)
- SUBMIT \$300.00 NON-REFUNDABLE APPLICATION FEE

**(STAFF USE ONLY):**

DATE RECEIVED: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_  
PROJECT NUMBER: \_\_\_\_\_  
SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: \_\_\_\_\_

Rhonda Carraway  
227 So. Y Street  
La Porte, TX 77571  
713 582-4830



02/22/2015

Re: Application for special use permit

Please find attached the required application and fee for a special use permit for the property located at the above address. Plans requested in the application have previously been supplied to the Planning and Development department planner Eric Ensey.

Our purpose for the proposed construction covered by the requested permit is to have 2 separate living areas on the existing R1 lot. This is necessary to afford the owner and her mother their privacy in their day to day activities. The owners mother is retired and lives at the above address and as such should have the ability to entertain and socialize without conflicting with other day to day activities on the property. By approving this request for permit that would be achieved. I have no intention of using the property for any other purpose than that described above and in the attached application.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Rhonda Carraway".

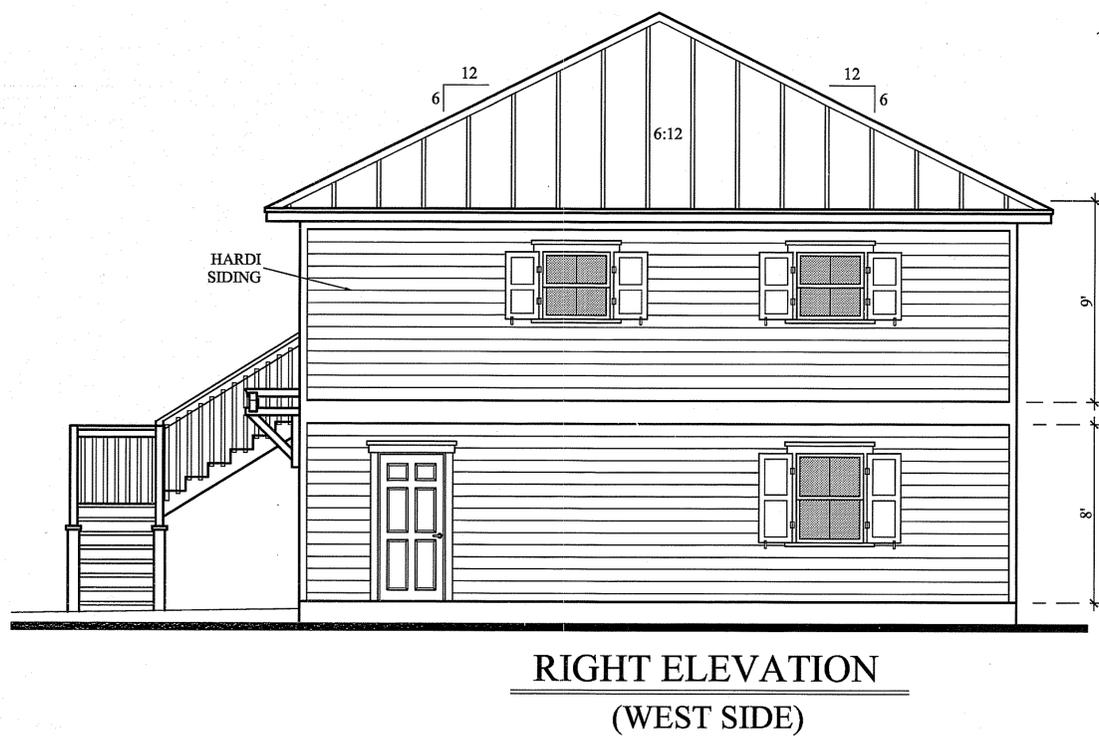
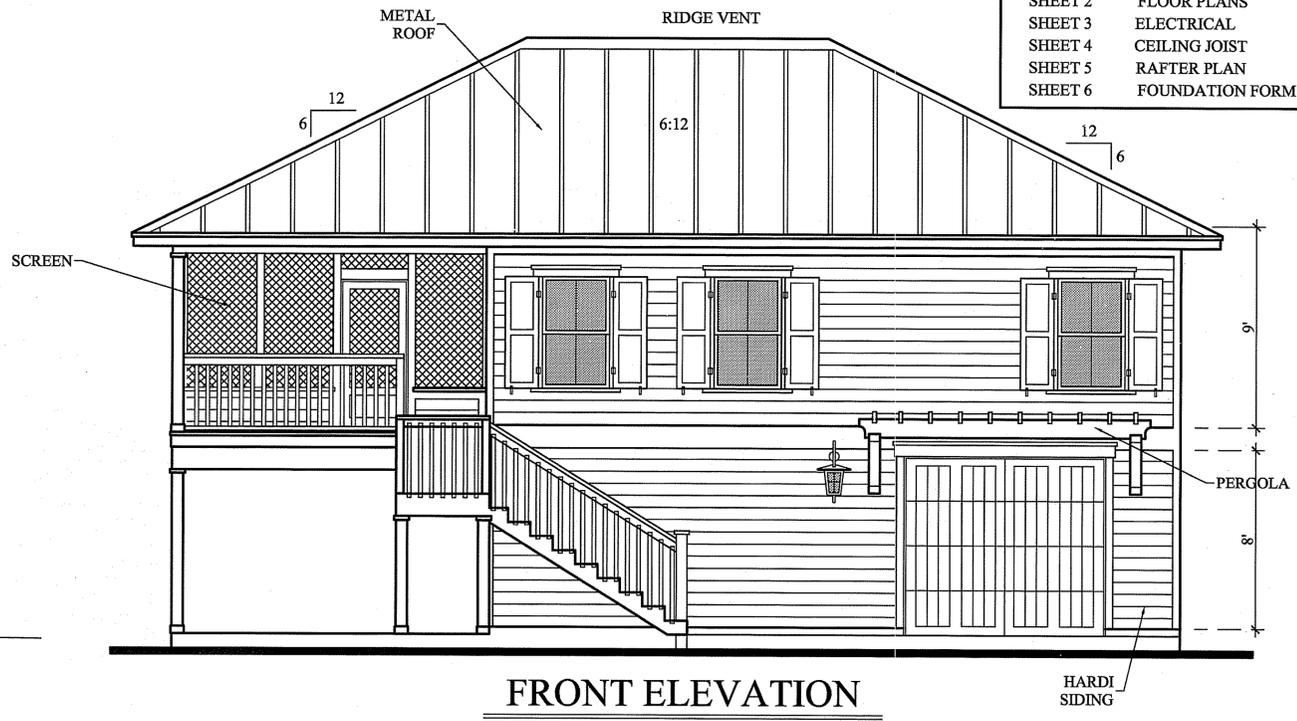
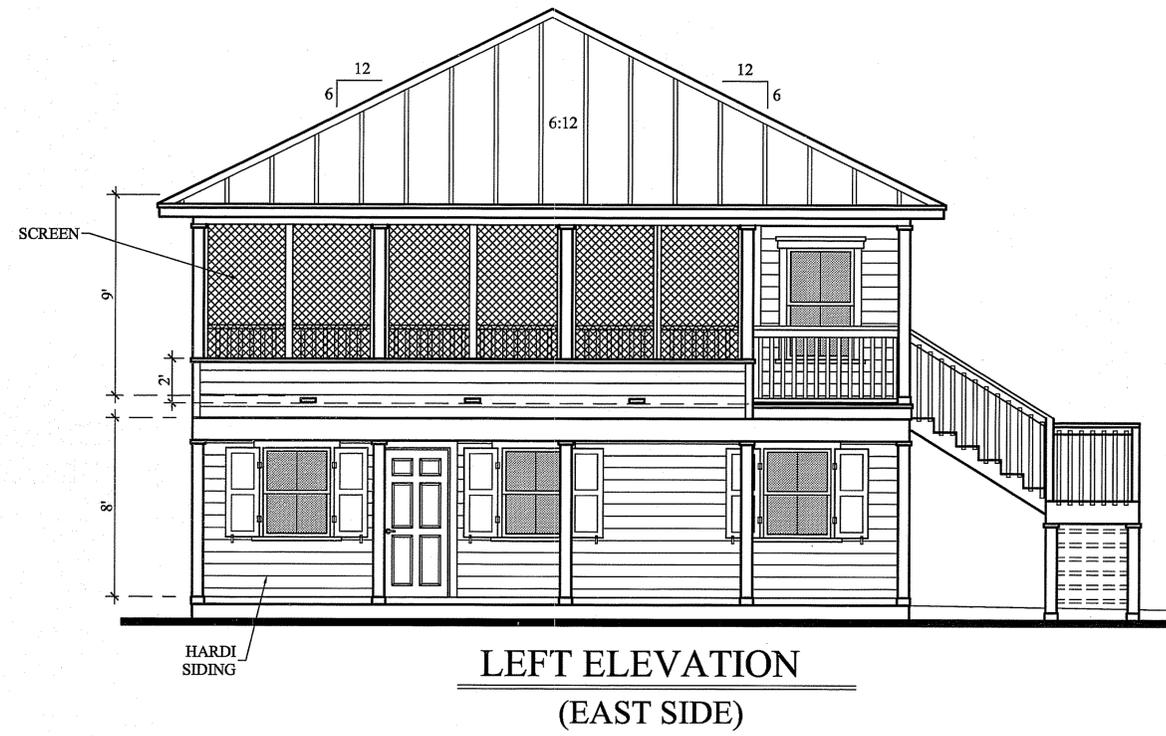
# HOUSE LOCATION PLAN

SCALE: 1" = 20'-0"



HS-1

SHEET 1	EXTERIOR ELEVATIONS
SHEET 2	FLOOR PLANS
SHEET 3	ELECTRICAL
SHEET 4	CEILING JOIST
SHEET 5	RAFTER PLAN
SHEET 6	FOUNDATION FORM



PRELIMINARY  
10-15-14



227 SOUTH "Y" STREET  
LaPorte, Texas

**R.C.D.**  
Residential Concept Designs





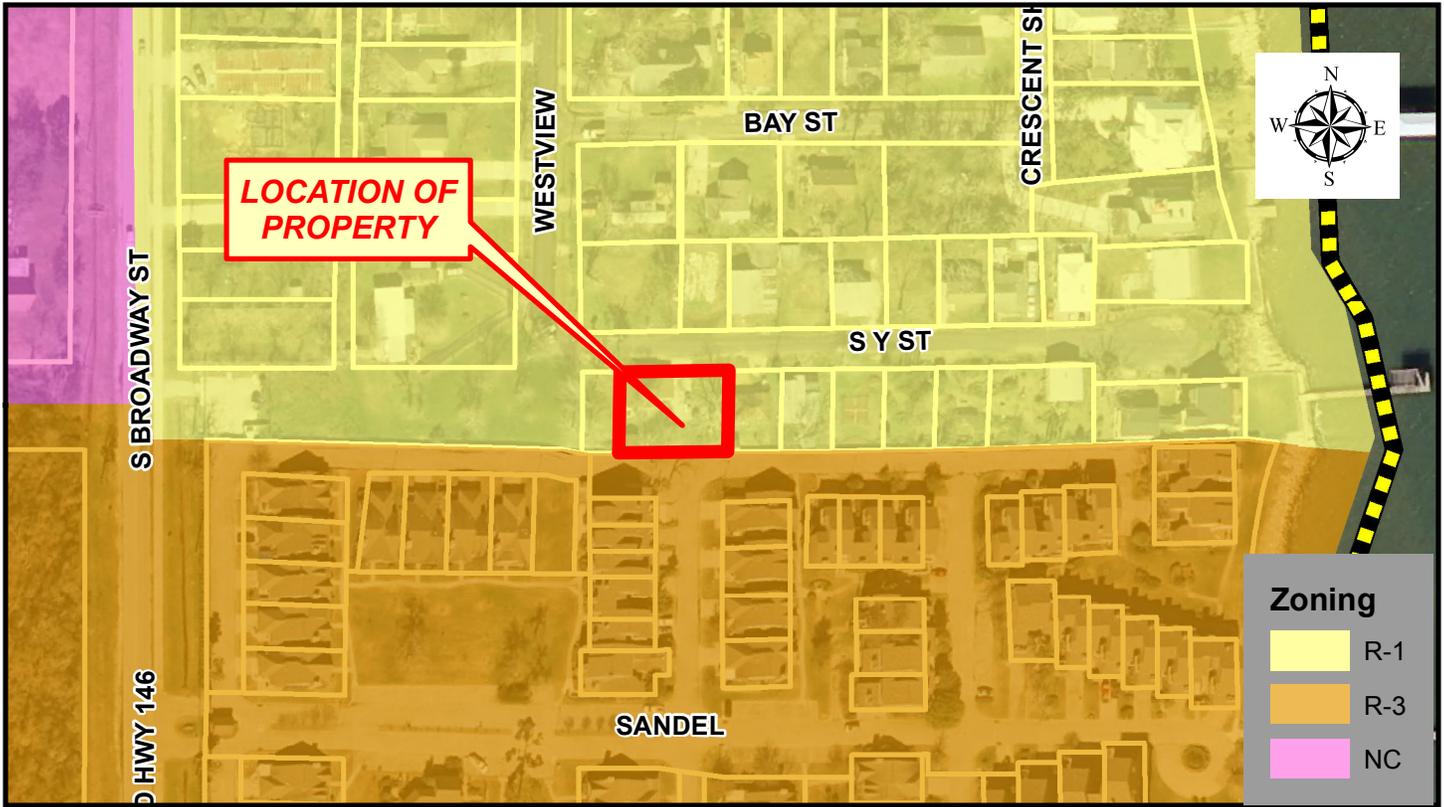
AREA MAP  
**EXHIBIT "B"**

15-91000001

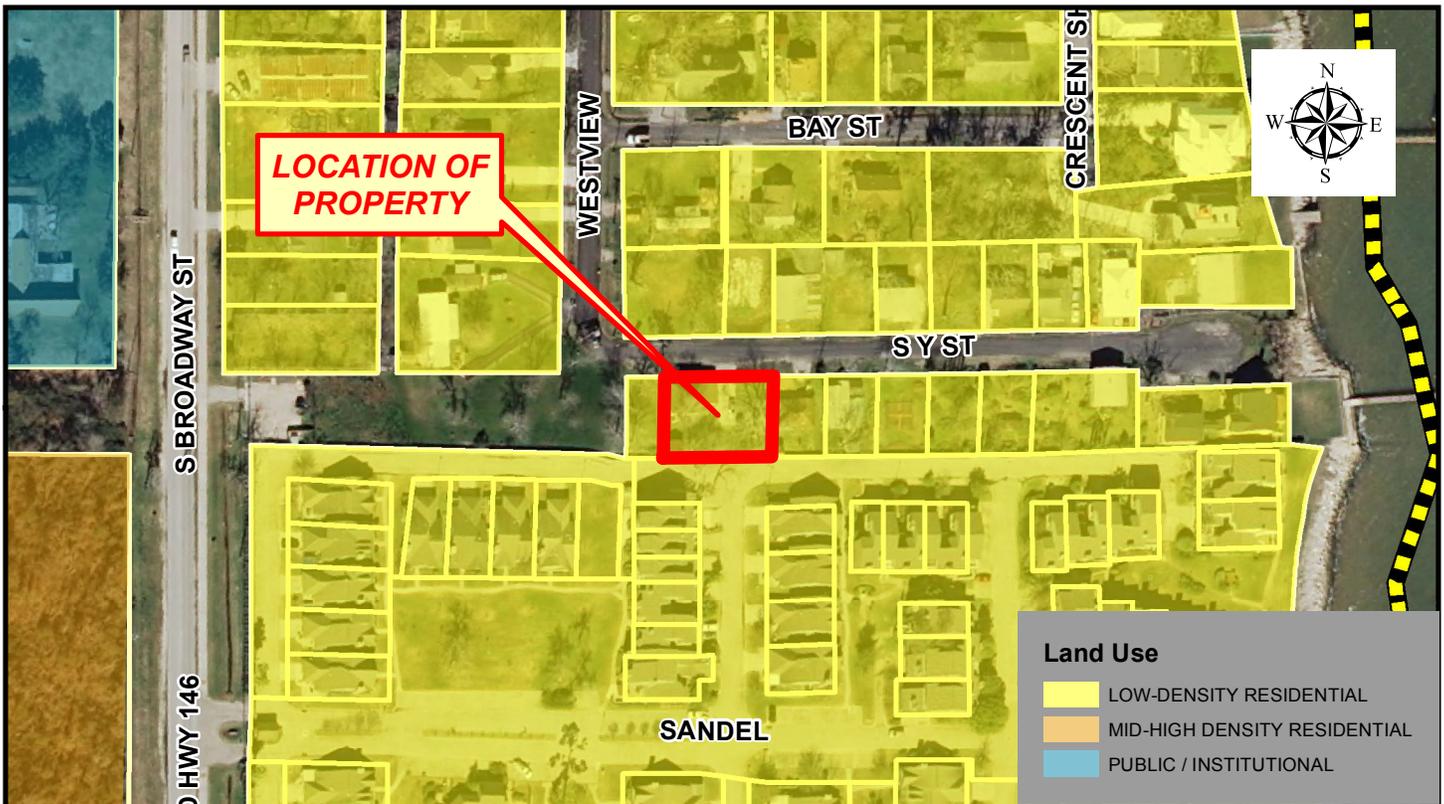


# EXHIBIT "C"

15-91000001



## ZONING



## LAND USE

A Meeting of the La Porte

Planning & Zoning Commission  
(Type of Meeting)

Scheduled for

April 16, 2015  
(Date of Meeting)

to Consider

Special Conditional Use Permit Request #15-9100001  
(Type of Request)



I have received notice of the above referenced public hearing.

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

*The lot is large enough to accommodate  
the proposed addition, and it would be  
an improvement to the neighborhood.*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Ezell family living trust*  
\_\_\_\_\_  
Name (please print)  
*Kelley A Ezell*  
\_\_\_\_\_  
Signature

*Property owner*  
*225 Bay Street*  
\_\_\_\_\_  
Address  
*LaPorte, TX 77571*  
\_\_\_\_\_  
City, State, Zip

Mr. Kelley A Ezell  
16318 Heather Bend Ct  
Houston, TX 77059-5579

A Meeting of the La Porte

Planning & Zoning Commission  
(Type of Meeting)

Scheduled for

April 16, 2015  
(Date of Meeting)

to Consider

Special Conditional Use Permit Request #15-9100001  
(Type of Request)



I have received notice of the above referenced public hearing.

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

If the resident wants to improve and add to his/her home I feel she/he is entitled to do so. I feel like this request you should be approve without giving him/her a problem. I am in favor of his/her request.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Felipe Loya & Casimiro Loya 210 S. V ST.

Name (please print)

Address

Mr. C. Loya  
Signature  
Felipe Loya

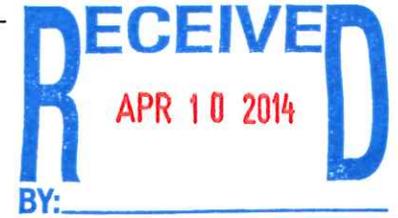
LA Porte TX 77577  
City, State, Zip

A Meeting of the La Porte

Planning & Zoning Commission  
(Type of Meeting)

Scheduled for

April 16, 2015  
(Date of Meeting)



to Consider

Special Conditional Use Permit Request #15-9100001  
(Type of Request)

I have received notice of the above referenced public hearing.

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

This structure will replace one that was  
there previously.  
It is NOT to be used as rental property.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Charlotte Mahoney  
Name (please print)  
Charlotte Mahoney  
Signature

227 So Y St.  
Address  
LaPorte, TX 77571  
City, State, Zip

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



**April 16, 2015**

## **AGENDA ITEM 10-12**

Consider recommendation of approval of a Special Conditional Use Permit (#15-91000002) to allow for construction of a warehouse facility on a 7.1 acre portion of the property known as a 12.6 acre tract described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey,

La Porte, Harris County, Texas

Applicant: Barsan Global Logistics (on behalf of the property owner Pierside Industries Inc.)

*Eric J. Ensey, City Planner*

*Planning and Development Department*

*City of La Porte, Texas*

## Planning and Development Department Staff Report

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### ISSUE

Consider a recommendation to the City Council on a request by the applicant Barsan Global Logistics (on behalf of the property owner Pierside Industries Inc.) for a Special Conditional Use Permit (SCUP) to allow construction of a warehouse facility on a 7.1 acre portion of the property known as a 12.6 acre tract described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey, La Porte, Harris County, Texas.

### RECOMMENDATION

Should the Commission desire to consider a recommendation for approval of this request, staff recommends considering various conditions, as described later in this staff report.

### DISCUSSION

Property Owner:

Pierside Industries Inc.

Applicant:

Barsan Global Logistics.

Applicant's Request:

The applicant is seeking approval of this SCUP to allow for construction of a 103,500 square foot warehouse facility on the subject property. The applicant owns the entire 12.6 acre tract of land described as Tracts 1B-2, Abstract 35, Johnson Hunter Survey. The property is located on S. 16<sup>th</sup> Street southeast of the W. M Street right-of-way. The proposed facility would be located on approximately 7.1 acres of parcel, with the remaining 5.5 acres to be developed at a later time and under a separate SCUP application. The attached Exhibit A includes the SCUP Application, project description letter and conceptual site plan submitted by the applicant. Also, the attached Exhibit B is a General Plan for the entire 12.6 acre tract of land that indicates the approximate scale of development and proposed use of the property. The General Plan indicates that this tract of land is proposed for Business Industrial Use, consistent with the city's Future Land Use Plan.

**Background Information:**

The subject site is approximately 12.6 acres in area and is located at the southeast corner of the intersection of S. 16<sup>th</sup> Street and the W. M Street unimproved right-of-way. The attached Exhibit C is an Area Map showing the location of the subject property.

The legal description of the property is Tracts 1B-2, Abstract 35, Johnson Hunter Survey, La Porte, Harris County, Texas. The site is located immediately adjacent to the Port Crossing Business Park. Although not within the boundaries of ownership of Port Crossing, the city’s Future Land Use Plan specifies development of this tract of land as “Business Industrial” uses, similar to those uses established for the Port Crossing Business Park. The attached Exhibit D identifies this parcel on the city’s Future Land Use Plan as adopted in the Comprehensive Plan.

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

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	GC, General Commercial	Vacant (across the unimproved W. M Street right-of-way)
<b>South</b>	PUD, Planned Unit Development	Vacant, Port Crossing Business Park (identified in the Future Land Use Plan as Business Industrial)
<b>West</b>	LI, Light Industrial	Existing light industrial office/warehouse uses (1410 S. 16 <sup>th</sup> Street and 1500 S. 16 <sup>th</sup> Street)
<b>East</b>	PUD, Planned Unit Development	Detention pond for the Port Crossing Business Park

**Notification Requirements:**

The public hearing notification requirements outlined in Section 106-171 were performed in accordance with all applicable code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City’s website in compliance with state law.

**Analysis:**

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

*Land Use.*

This SCUP application is for consideration of the use of the 7.1 acre portion of the property identified in the General Plan as Parcel A. The site is Zoned Planned Unit Development (PUD), which requires approval of a SCUP for consideration of the proposed use of the site. Parcel B will require separate application for consideration of a SCUP prior to development.

The city's Future Land Use Map identifies the use of the property as "Business Industrial" and as a result the uses permitted on this parcel should be consistent with those permitted in the Business Industrial (BI) district. Barsan Global Logistics operates under the following NAICS classification: 541614 (Process, Physical Distribution, and Logistics Consulting Services) and 488510 (Freight Transportation Arrangement). Both of these classifications are permitted uses in the BI zone district.

*Site Plan.*

The applicant has submitted a conceptual site plan and photographs of a similar development to provide an example of what is proposed at this site. At this time there has been no formal application for a site development plan as required in the city's Development Ordinance. A formal application for a site development plan is not required until after a SCUP is approved. Should City Council approve the proposed SCUP, the applicant will be required to submit application for a site development plan in compliance with applicable code requirements.

Staff recommends that a condition be added requiring all the required street trees at the time of development of this first phase of development (Parcel A). This would include the planting of shade trees along both S. 16<sup>th</sup> Street and W. M Street, as the city has future plans to improve M Street.

*Traffic Impacts.*

The project is located on S. 16<sup>th</sup> Street, which is a designated truck route and high frequency truck use road. Although the proposed use of the site is not a designated high frequency truck use, the use will generate truck traffic. Staff is requesting consideration of a condition that would require submittal of a traffic impact analysis that will review the potential traffic generated from this facility and its impacts on major intersections in the vicinity. Any potential negative impacts should be mitigated.

Records indicate that there is a portion of this site where the S. 16<sup>th</sup> Street right-of-way is not at 100 feet in width. As part of future replatting of this property, the applicant will be required to dedicate that portion of right-of-way to the City to make a consistent 100-foot right-of-way for S. 16<sup>th</sup> Street.

*Public Utilities.*

Public utility facilities and services are sufficient to handle the proposed development. Water and sanitary sewer lines are both available within the S. 16<sup>th</sup> Street right-of-way.

*Drainage.*

Drainage has been accommodated for this site as part of the Port Crossing Business Park regional drainage plan. Although this site is not technically within the ownership of the Port Crossing Business Park, this parcel was included as part of the detention post system. There have been detention ponds sized adequately to detain drainage for this site and the rest of the Port Crossing Business Park.

Conclusion:

Based on the analysis above, staff finds that if the Planning and Zoning Commission desires to recommend approval of the proposed Special Conditional Use Permit, then a number of conditions should be considered in the approval. The proposed Barsan Global Logistics warehouse facility is consistent with both the city’s Future Land Use Plan, as adopted in the Comprehensive Plan, and the permitted uses of the BI district. Section 106-217 of the Zoning Ordinance outlines specific conditions for approval of SCUP applications. There are three different conditions that must be met in order to approve a SCUP. The following table identifies each of the three conditions and staff’s finding on each:

Condition:	Staff Analysis:
(1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.	The proposed use is consistent and compatible with the city’s Comprehensive Plan as approved by the City Council, which identifies this parcel as “Business Industrial” use. The proposed use of this property (NAICS classification numbers 541614 and 488510) are permitted uses in the BI zone district.
(2) That the conditions placed on such use as specified in each district have been met by the applicant.	As a condition of approval of the proposed SCUP, the applicant is required to submit a site development plan in accordance with the requirements of the city’s Development Ordinance. Additionally, the site development plan will need to comply with all other provisions of the city’s Zoning Ordinance and will be reviewed during the site development review.
(3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.	The applicant will need to confirm on the record at the public hearing that they are agreeable to the conditions imposed on the SCUP. Staff has provided a list of conditions as part of this report. However, the Commission and City Council may impose additional conditions, should they approve the proposed SCUP.

Should the Planning and Zoning Commission recommend approval of the requested SCUP application, staff recommends the following conditions be considered:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
3. A traffic study performed by a licensed engineer shall be required. The study must ensure that the proposed development will not adversely impact S. 16<sup>th</sup> Street or any of the major intersection in the vicinity. Any mitigation required by the study will be the responsibility of the applicant.
4. The subject property will need to be replatted and subdivided in accordance with the requirements outlined in the City of La Porte's Development Ordinance. As part of the plat, the applicant will be required to dedicate right-of-way along S. 16<sup>th</sup> Street to make a consistent 100-foot right-of-way width.
5. The applicant shall install all of the required street trees as part of the development of Parcel A as required by Section 106-800 of the city's Code of Ordinances along S. 16<sup>th</sup> Street and W. M Street.
6. TxDOT and Harris County driveway permits shall be presented prior to permit issuance for all driveways requested. Maximum driveway widths shall be provided in compliance with city code requirements.
7. The pavement shall remain in good, operable, dust free condition over time, and that repairs shall be made as necessary upon written notification by the city.
8. Any future change in use requires consideration of a Special Conditional Use Permit in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

*[Any additional conditions requested by the Planning and Zoning Commission.]*

#### **ATTACHMENTS**

- Exhibit A: SCUP Application and Supplemental Information from the Applicant  
Exhibit B: General Plan  
Exhibit C: Area Map

Planning and Zoning Commission Regular Meeting  
April 16, 2015  
Barsan Global Logistics SCUP

Exhibit D: Land Use Map  
Exhibit E: Zoning Map

Planning & Development Department  
**SPECIAL CONDITIONAL USE**  
**PERMIT APPLICATION**

**1. PROPERTY OWNER CONTACT INFORMATION:**

OWNER NAME: Pierside Industries Inc. PHONE 1: (843) 971-1339  
PHONE 2: \_\_\_\_\_ FAX #: \_\_\_\_\_  
E-MAIL: vjmarino@mrs-cmc.com  
MAILING ADDRESS: 2265 Clements Ferry Road, Suite 301 Charleston, SC 29492

**2. BUSINESS INFORMATION:**

BUSINESS NAME: GCP on behalf of Barsan Global Logistics BUSINESS TYPE: Freight Forwarding  
CONTACT NAME: Joseph Llamas PHONE #: (512) 853-9650  
E-MAIL: JLLAMAS@GCPRE.COM FAX #: \_\_\_\_\_  
MAILING ADDRESS: 1503 Ridgecrest Drive Austin, TX 78746

**3. PROPERTY DESCRIPTION:**

PARCEL NO(s) (13-digit HCAD Tax ID #): 0402780010029  
PROPERTY ADDRESS (If existing): \_\_\_\_\_  
PROPERTY LEGAL DESCRIPTION Tract 1B-3 abstract 35J Hunter

**4. SUPPORTING DOCUMENTATION (Check Applicable):**

GENERAL PLAN  SITE PLAN  PLAT

REASON FOR REQUEST?: New Development  
OWNER or AUTHORIZED AGENT'S SIGNATURE:   
PRINTED NAME: Joseph Llamas DATE: 03/19/2015

**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:**

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLAN(S)
- SUBMIT \$300.00 NON-REFUNDABLE APPLICATION FEE

**(STAFF USE ONLY):**

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



**GENERATIONAL**  
COMMERCIAL PROPERTIES

March 18, 2015

Mr. Eric Ensey  
604 W. Fairmont Parkway  
La Porte, Texas 77571

**RE: Barsan Global Logistics Special Conditional Use Permit Application (“SCUP”)**

Dear Mr. Ensey:

I am pleased to provide details pertaining to my client’s, Barsan Global Logistics, Inc., intent to develop a 100,000 SF institutional quality industrial building in LaPorte Texas. Enclosed is the completed SCUP form, a proposed site plan, building image from a Barsan building in Miami, FL, a brochure from a Generational Commercial Properties project in Houston and some construction photo’s of that same building.

This project includes the acquisition of a twelve-acre parcel. Generational will platt and subdivide the property into a northern and southern property. Generational will develop a 100,000 SF tiltwall industrial building for Barsan Global Logistics, Inc. on the southern parcel. The attached site plan details this plan.

Barsan Global Logistics was founded in 1982 and provides freight forwarding services globally. Utilizing highway, marine and air travel Barsan coordinates the transportation, warehousing and delivery of their client’s products worldwide. They operate facilities on five continents and are currently expanding throughout the US. Their NAICS Code # is 541614 / 488510.

Generational Commercial Properties is a commercial development firm with offices in Texas. Generational acquires, develops, owns and operates multi-family, industrial and office real estate targeting functional, institutional quality, infill real estate located in Texas, the nation's fastest growing state and strongest economy.

Sincerely,

GENERATIONAL COMMERCIAL PROPERTIES

A handwritten signature in blue ink, appearing to read "Joseph Llamas".

Joseph Llamas  
President

**Marine Repair Services**  
**Container Maintenance**  
CORPORATION

2265 Clements Ferry Road  
Suite 301  
Charleston, SC 29492  
Tel: 843-971-1339  
Fax: 843-971-8719

March 20, 2015

Mr. Eric Ensey

604 W. Fairmont Parkway

LaPorte, Texas 77571

RE: Generational Commercial Properties SCUP application

Dear Mr. Eric Ensey:

I, Vince Marino, authorized signatory of Pierside Industries Inc., appoint Joseph Llamas of Generational Commercial Properties Co ("GCP") as agent to pursue a Special Conditional Use Permit on the property located at 16th Street in LaPorte, TX. The property's legal description is Tract 1B-3 abstract 35J hunter.

Regards,

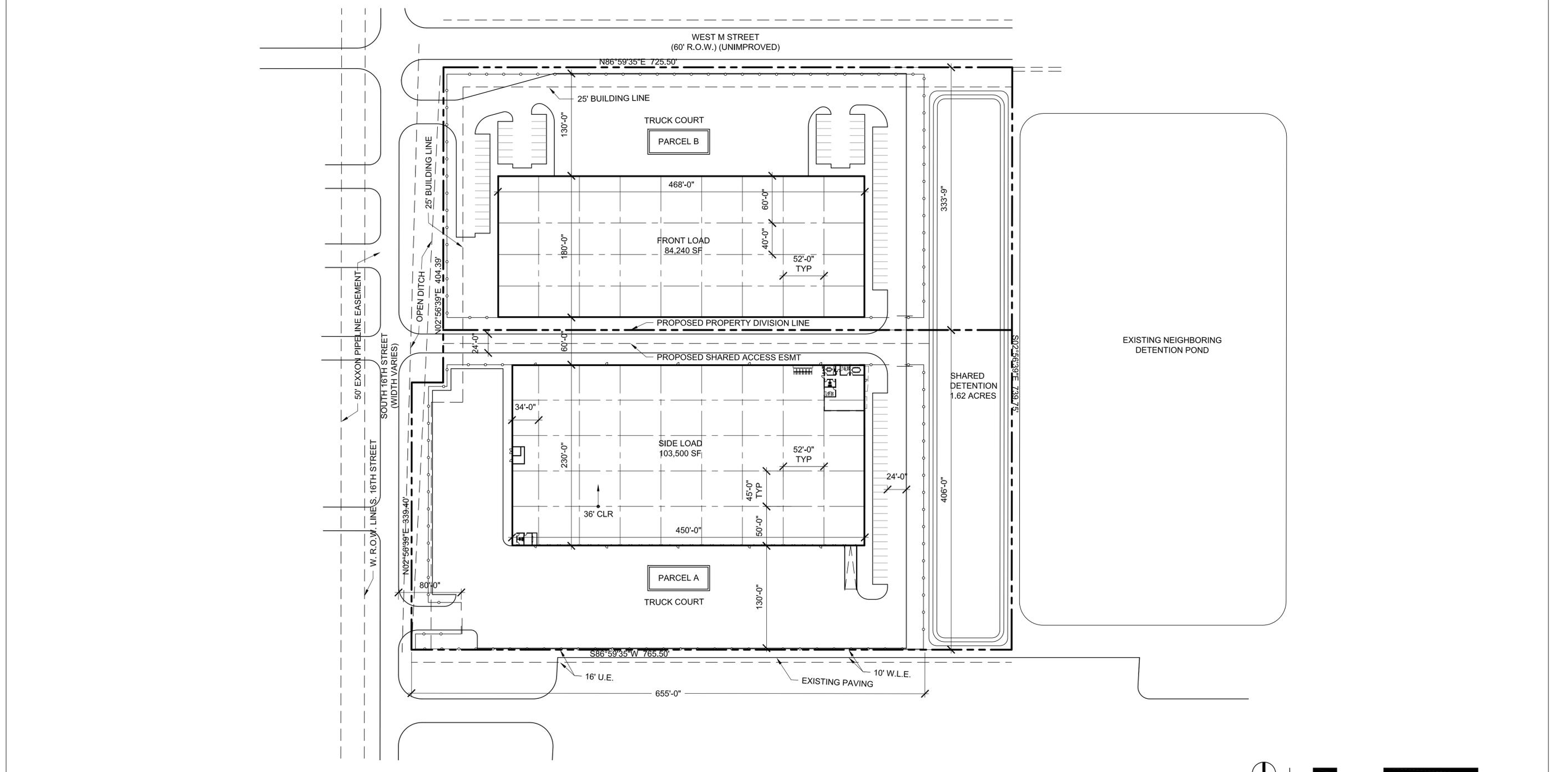


Vince Marino

President

# SITE PLAN - SCHEME B

	SITE AREA	BUILDING AREA	COVERAGE	PARKING (REQUIRED: OFFICE = 3 / 1,000 ; WAREHOUSE = 1 / 1.5 EMPLOY)
TOTAL	12.6 ACRES (550,263.5 SF)	187,740 SF	34.1%	100 SPACES
PARCEL A	7.1 ACRES (308,126.5 SF)	103,500 SF	33.6%	31 SPACES
PARCEL B	5.5 ACRES (242,137 SF)	84,240 SF	34.8%	69 SPACES



# BUILDING IMAGE



Rendering is representative of design intent only. It is not a photorealistic representation of actual materials proposed and as such should be considered preliminary at all stages.

FOR LEASE > INDUSTRIAL

# Airtex Commerce Center

431 EAST AIRTEX DRIVE, HOUSTON, TX 77073



Ready for Occupancy



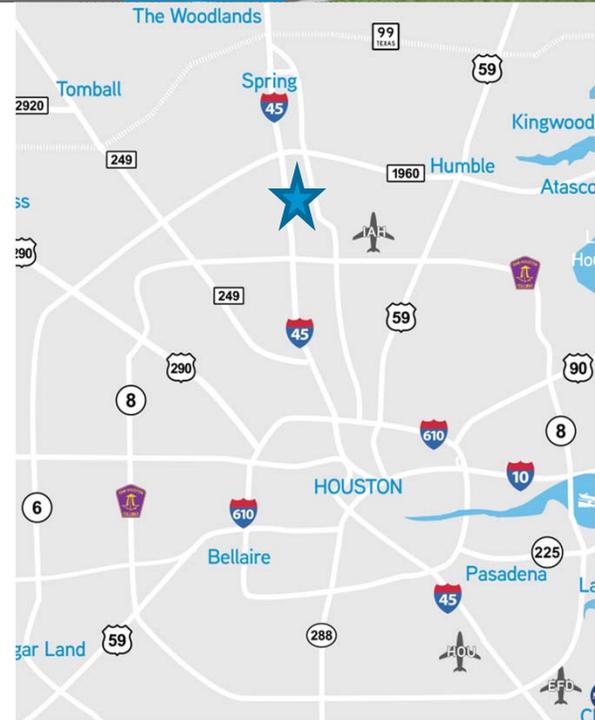
40,000 - 340,000 SF Available

## Airtex Commerce Center > Phase I

Airtex Commerce Center is a new Class A industrial facility located on Airtex Drive less than a quarter mile east of I-45, just 3 miles north of Beltway 8, and 3 miles south of 1960. This efficient rear-load building can be accessed from 5 curb cuts, has ample parking and trailer storage.

### Building Features

- > 166,250 SF - Phase I
- > Divisible to 40,000 SF
- > 32' Clear Height
- > 60' Staging Bay
- > 52' x 47' Column Spacing
- > 37 External Truck Doors
- > 2 Drive-in Dock Doors
- > 2,000 Amps 277/480 volt
- > Gas Unit Heaters Freeze Protection
- > ESFR Sprinklered
- > 130' Truck Court
- > Trailer Storage Available
- > 1:5 to 1,000 Parking Ratio
- > Triple Freeport Exemption
- > Favorable Tax Rate



MIKE TAETZ, SIOR  
713 830 2107  
mike.taetz@colliers.com

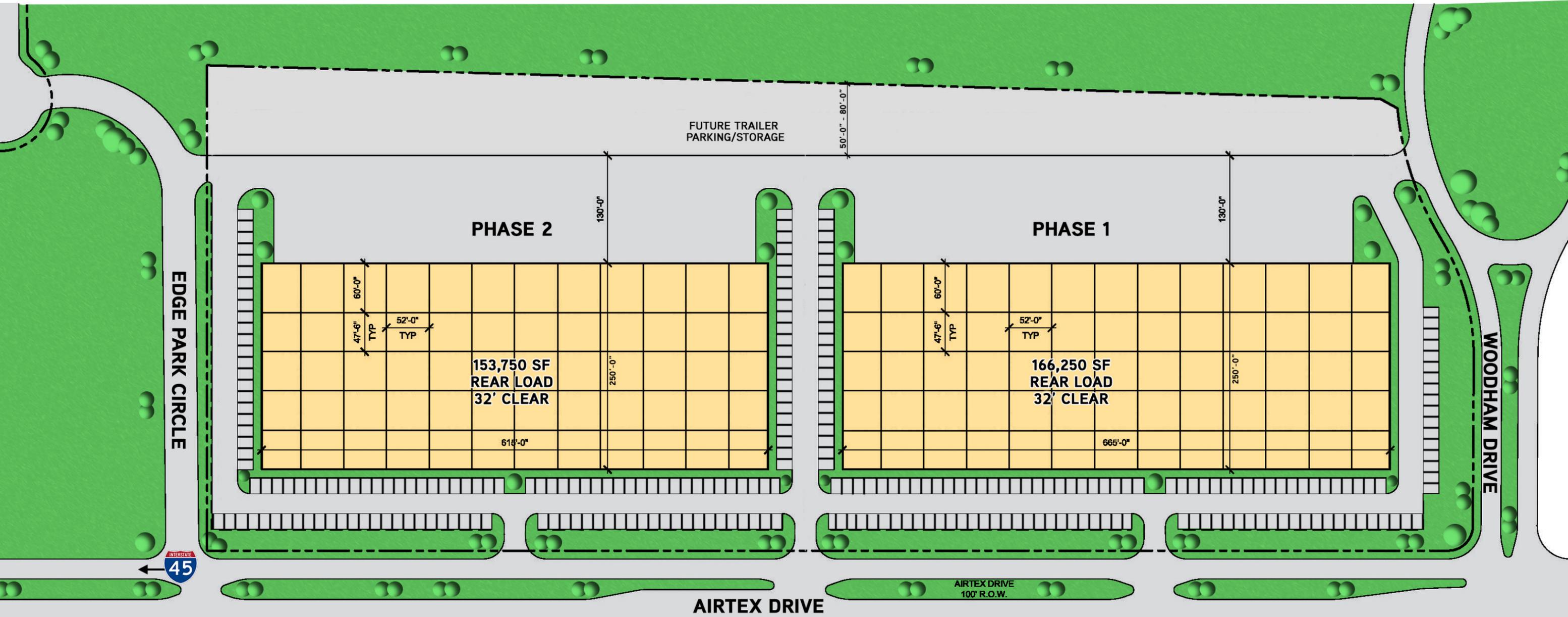
BILL BYRD, SIOR, CCIM  
713 830 2131  
bill.byrd@colliers.com

RYAN BYRD  
713 830 2171  
ryan.byrd@colliers.com

COLLIERS INTERNATIONAL  
1233 W. Loop South | Suite 900  
Houston, TX 77027  
www.colliers.com

# Airtex Commerce Center

431 EAST AIRTEX DRIVE, HOUSTON, TX 77073



MIKE TAETZ, SIOR  
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mike.taetz@colliers.com

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RYAN BYRD  
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ryan.byrd@colliers.com

FOR LEASE > INDUSTRIAL

## Airtex Commerce Center

431 EAST AIRTEX DRIVE, HOUSTON, TX 77073



- > Up to 340,000 SF
- > Phase I – 166,250 SF
- > 3 Miles from Beltway 8
- > Occupancy 1Q 2015

**Airtex Commerce Center**

**China Bear**  
**PAPPASITOS**  
**Cantina**

### Contact Us

MIKE TAETZ, SIOR

713 830 2107

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RYAN BYRD

713 830 2171

[ryan.byrd@colliers.com](mailto:ryan.byrd@colliers.com)

JOE LLAMAS

512 853 9650

[jllamas@gcpre.com](mailto:jllamas@gcpre.com)

A Co-development of Molto Properties and Generational Commercial Properties.  
Exclusively Listed by Colliers International



**GENERATIONAL**  
COMMERCIAL PROPERTIES

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*Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.*

## Information About Brokerage Services

**B**efore working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

### **IF THE BROKER REPRESENTS THE OWNER:**

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

### **IF THE BROKER REPRESENTS THE BUYER:**

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

### **IF THE BROKER ACTS AS AN INTERMEDIARY:**

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

### **If you choose to have a broker represent you,**

you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

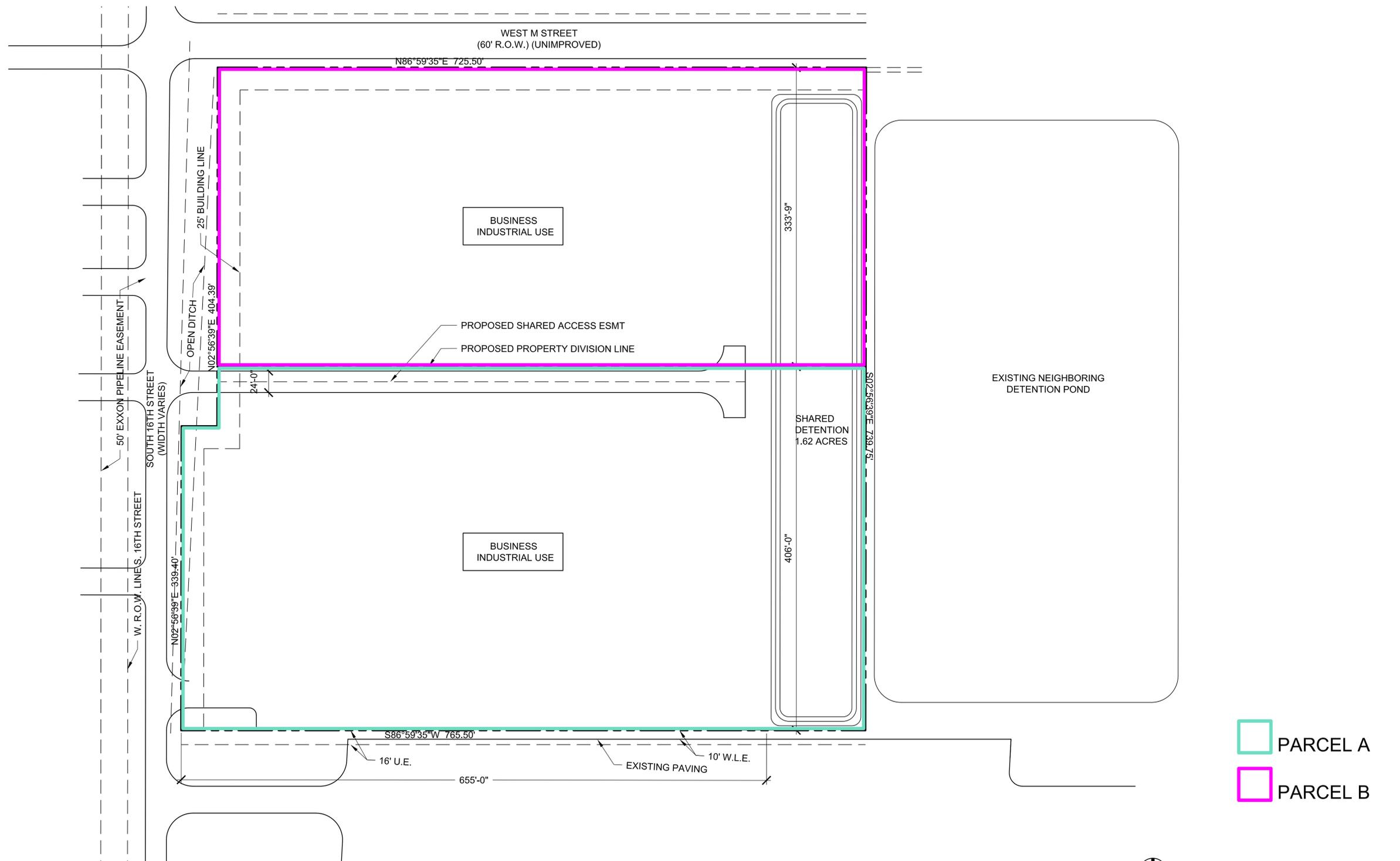
Buyer, Seller, Landlord or Tenant

Date



# GENERAL PLAN

	SITE AREA
TOTAL	12.6 ACRES (550,263.5 SF)
PARCEL A	7.1 ACRES (308,126.5 SF) *
PARCEL B	5.5 ACRES (242,137 SF) *

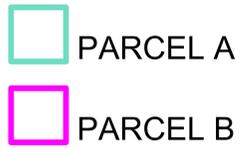


**LEGAL DESCRIPTION**  
 \*12.6323 ACRE TRACT BEING ALL OF A CALLED 13.00 ACRE TRACT H.C.C.F. NO. G716283 SAVE AND EXCEPT H.C.C.F. NO. 20090160913 LOCATED IN THE JOHNSON HUNTER SURVEY, A-35 HARRIS COUNTY TEXAS.\*

**DEVELOPER INFORMATION**  
 GENERATIONAL COMMERCIAL PROPERTIES CO.  
 1503 RIDGECREST DR.  
 AUSTIN, TX 78746

**OWNER INFORMATION**  
 PIERSIDE INDUSTRIES INC.  
 2265 CLEMENTS FERRY ROAD, SUITE 301  
 CHARLESTON, SC 29492

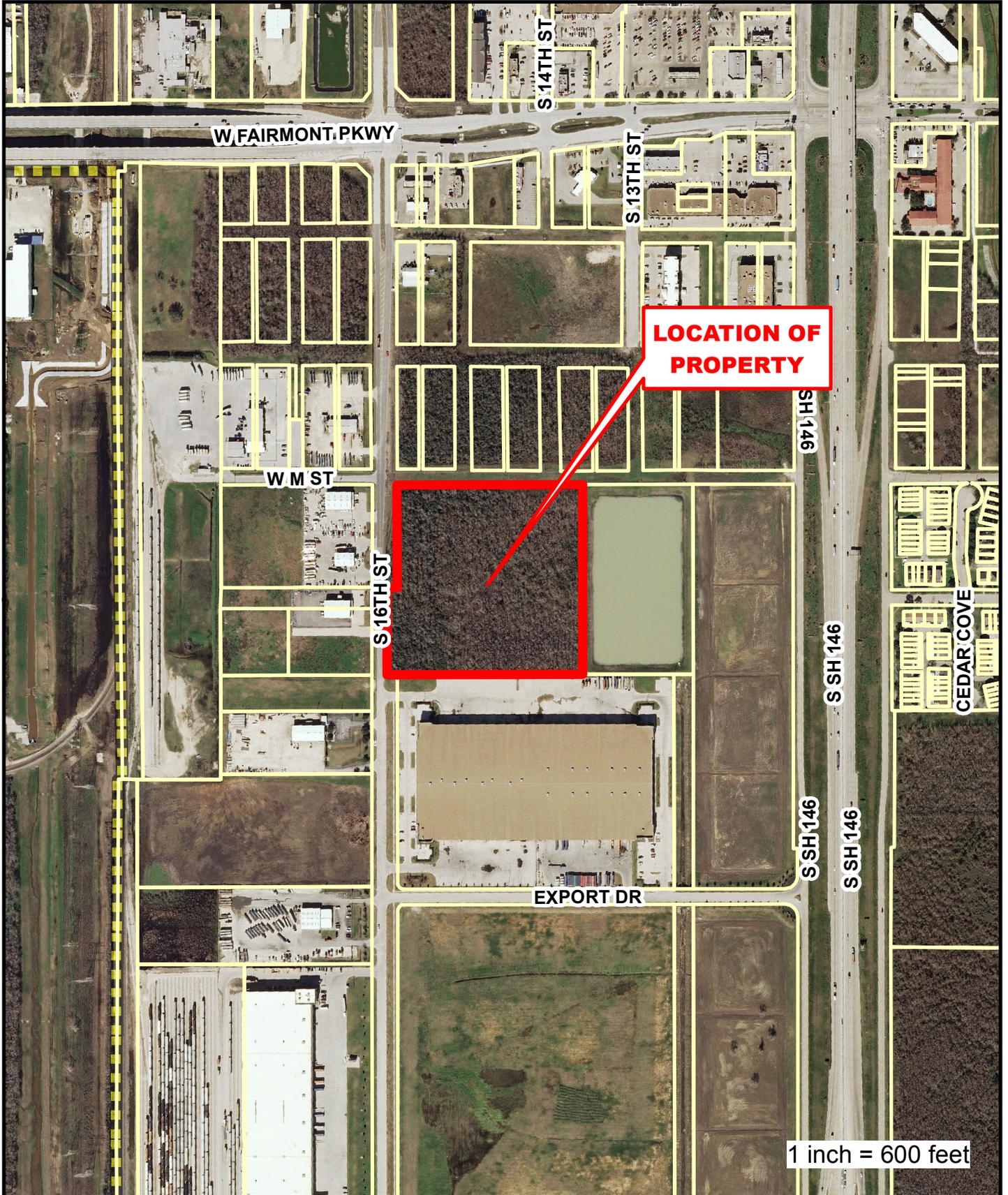
\* PROPERTY SIZES COULD CHANGE BY +/- 10%



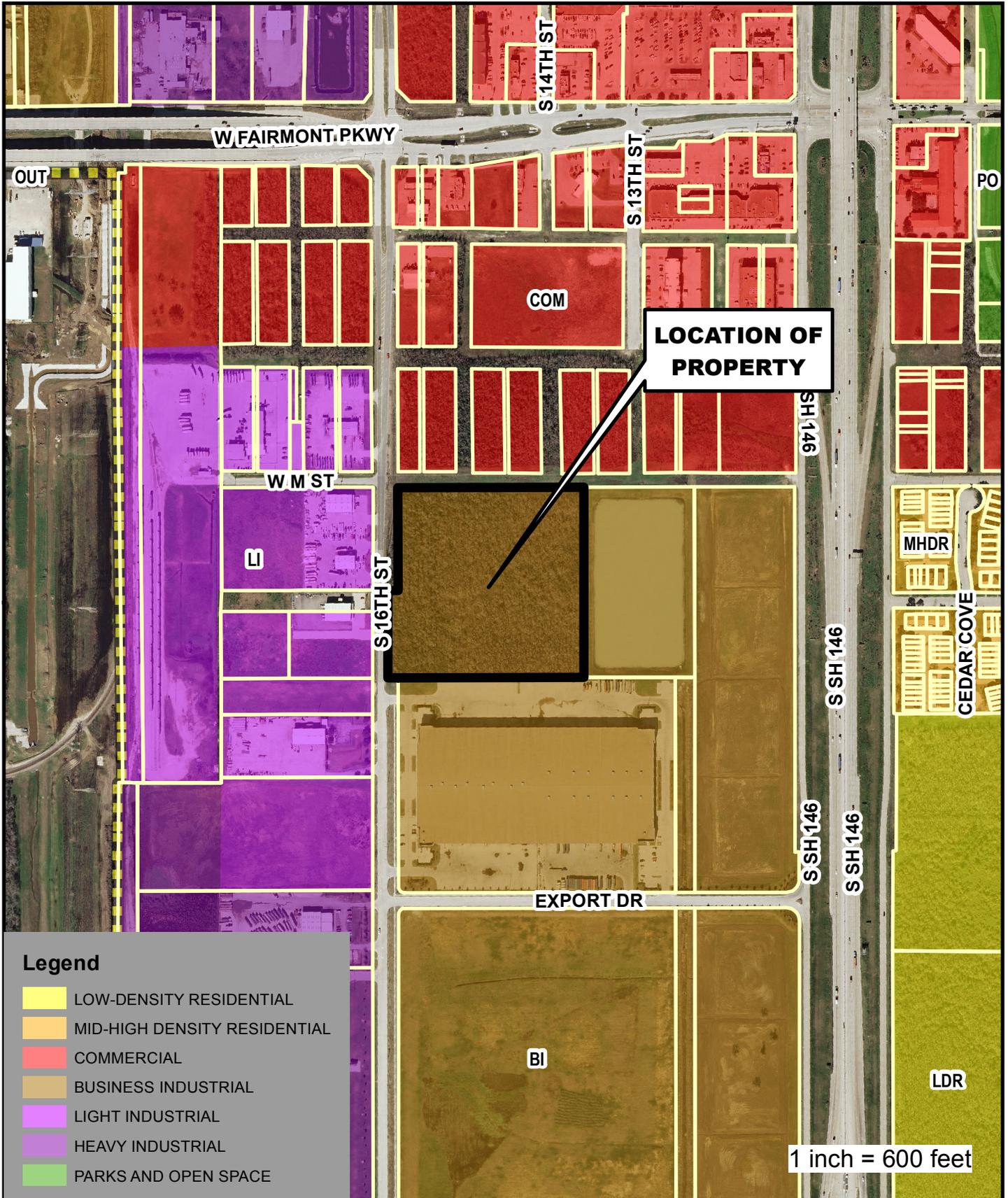
AREA MAP

# EXHIBIT "C"

15-91000002



LAND USE MAP  
**EXHIBIT "D"**  
15-91000002



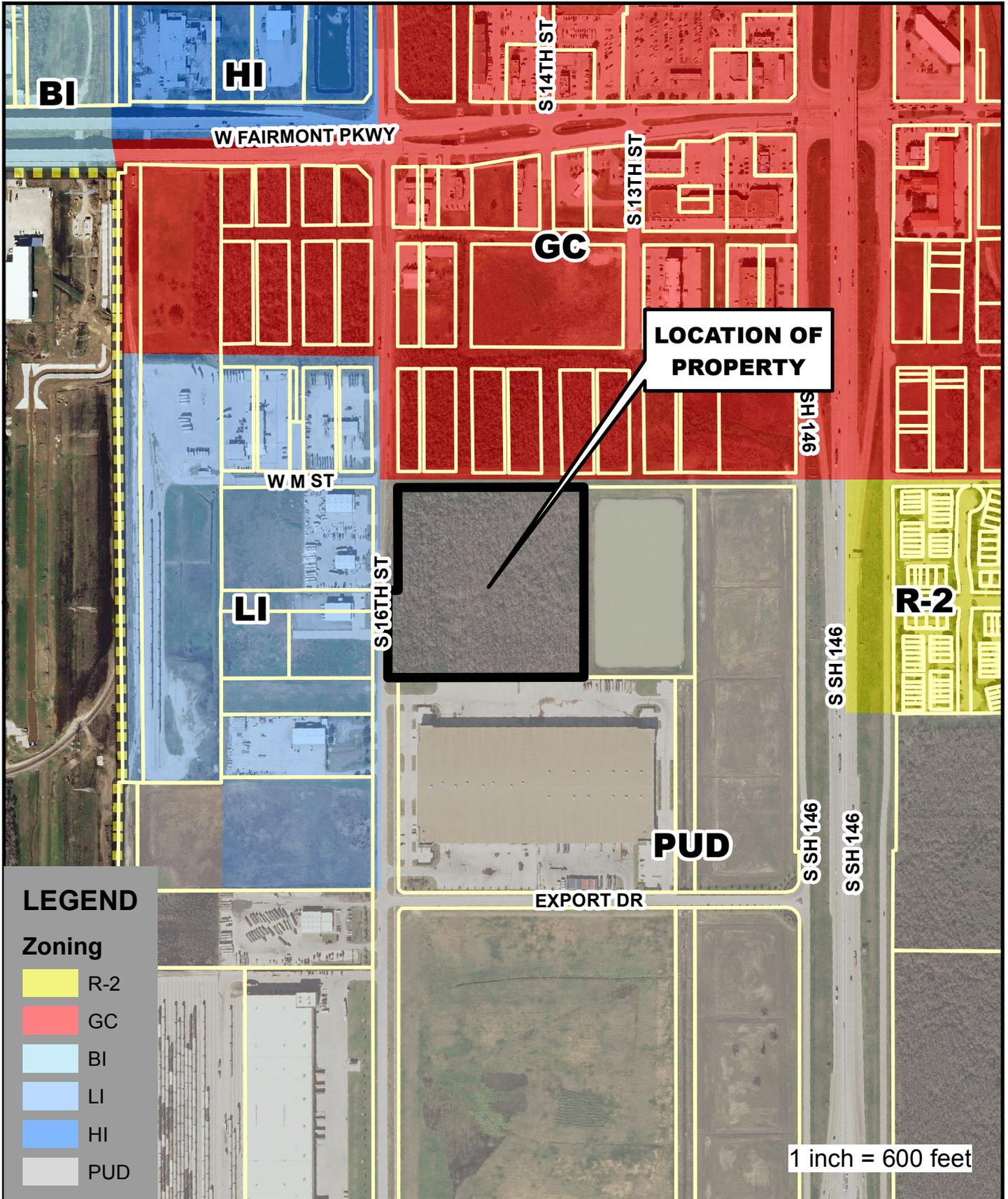
**Legend**

- LOW-DENSITY RESIDENTIAL
- MID-HIGH DENSITY RESIDENTIAL
- COMMERCIAL
- BUSINESS INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PARKS AND OPEN SPACE

1 inch = 600 feet

# EXHIBIT "E"

15-91000002



## LEGEND

### Zoning

-  R-2
-  GC
-  BI
-  LI
-  HI
-  PUD

1 inch = 600 feet