



PLANNING AND ZONING COMMISSION MEETING AGENDA

Notice is hereby given of a **Regular Meeting** of the La Porte **Planning and Zoning Commission** to be held on **Thursday, August 15, 2019** at 6:00 p.m. at City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

- 1. CALL TO ORDER**
- 2. ROLL CALL OF MEMBERS**
- 3. CONSIDER APPROVAL OF THE MEETING MINUTES:**
 - a. June 20, 2019, Meeting
- 4. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Zone Change #19-92000003, a request by Jason W. Bailey, applicant; on behalf of Bayshore Baptist Church, owner; for approval of a zone change from Low Density Residential (R-1) and High Density Residential (R-3) to General Commercial (GC), on a 10 acre tract of land located at 11311 Spencer Hwy., and legally described as a portion of Tracts 71, 71A-1, & 71A-4, La Porte Outlots.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or question)
 - d. Question and Answer
- 5. ADJOURN PUBLIC HEARING**
- 6. CONSIDERATION:** Consider recommendation to City Council on Zone Change #19-92000003
- 7. FUTURE LAND USE MAP AMENDMENT:** Consider a recommendation to City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 10 acre tract of land located at 11311 Spencer Hwy., and legally described as a portion of Tracts 71, 71A-1, & 71A-4, La Porte Outlots, from "Public/Institutional" to "Commercial."
- 8. PUBLIC HEARING:** Open Public Hearing to receive input on an application for Zone Change #19-92000004, a request by Doak Brown of Brownstone Ventures, LLC, applicant; on behalf of Jack Howard, Floyd Howard, and Larry Allen, owner; for approval of a zone change from General Commercial (GC) to Planned Unit Development (PUD), on a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd., and legally described as Tracts 710A and 711, La Porte Outlots.

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

9. ADJOURN PUBLIC HEARING

10. CONSIDERATION: Consider recommendation to City Council on Zone Change #19-92000004

11. FUTURE LAND USE MAP AMENDMENT: Consider a recommendation to City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd., and legally described as Tracts 710A and 711, La Porte Outlots, from “Commercial” to “Mid-High Density Residential.”

12. PUBLIC HEARING: Open Public Hearing to receive input on an application for Special Conditional Use Permit (SCUP) #19-91000006, a request by Doak Brown of Brownstone Ventures, LLC, applicant; on behalf of Jack Howard, Floyd Howard, and Larry Allen, owners; to allow for a multi-family development to locate on a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd. and legally described as Tracts 710A and 711, La Porte Outlots.

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

13. ADJOURN PUBLIC HEARING

14. CONSIDERATION: Consider recommendation to City Council on SCUP #19-91000006

15. PUBLIC HEARING: Open Public Hearing to receive input on an ordinance amending Chapter 106 “Zoning” of the Code of Ordinances of the City of La Porte, to adopt procedures for reconsideration of previously denied applications for property zoning classification amendments.

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

16. ADJOURN PUBLIC HEARING

17. CONSIDERATION: Consider recommendation to City Council on changes to Chapter 106 “Zoning” of the Code of Ordinances, to adopt procedures for reconsideration of previously denied applications for property zoning classification amendments.

18. DISCUSSION:

- a. Selection of Chapter 106 “Zoning” Subcommittee

19. ADMINISTRATIVE REPORTS:

- a. Update on City Council Actions

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

21. 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 Lee Woodward, City Secretary, at 281-470-5019.

CERTIFICATION

I certify that a copy of the Thursday, August 15, 2019, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the ____ day of _____, 2019.

Title: _____

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



August 15, 2019

AGENDA ITEM 3

Consider approval of the Meeting Minutes:

a. June 20, 2019

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

5. **Public Hearing (6:58pm):** Open public hearing to receive input on an application for Special Conditional Use Permit (SCUP) #19-91000004, a request of Jeff Davis, applicant; on behalf of Port of Houston Authority of Harris County, Texas, owner; to amend an existing SCUP allowing for a Pre-Check Truck Gate on a tract of land legally described as Reserve A, Block 1, Port of Houston Authority.

a) **Staff Presentation:** City Planner, Ian Clowes, presented the 6 amendments to the original SCUP for the Port of Houston Pre-Check facility to allow for a full-scale redevelopment of the site. The highlights are as follows:

- Condition #3 – “Comply with the General Plan”: Alterations to the general plan because it’s a full redevelopment of the site to allow for a larger truck queue on site, rather than on public right of way (Barbour’s Cut)
- Condition #4 – 30% of property is landscaping/screening: The request is to consider the wet/dry detention ponds as part of the required landscaping coverage
- Condition #5 – Further utilization of wet/dry ponds and native grasses to count towards landscaping requirements
- Condition #8 – Since the proposed redevelopment only has a small security guard structure, there shouldn’t be an architectural guideline to meet

Staff has a recommendation of approval for the proposed SCUP changes

b) **Applicant Presentation:** The applicant was not present for the meeting.

c) **Public Comments:**

Thomas Garza – 623 S 6th St. – Questions why restrictions are being prioritized/not prioritized. Additionally urges commission members to vote their conscious

Chuck Rosa – 812 S Virginia – Stated that it’s a conflict of interest to allow City Council members, like the commenter before, comment on a planning and zoning commission item

Mark Balboa -201 N Nugent – Raised concerns with changes in lighting from the site.

d) **Question and Answer:** Chairman Lawler has questions regarding about the number of trees that are projected to be lost due to this redevelopment.

Motion by Commissioner Barrera to approve the proposed Special Conditional Use Permit (SCUP) #19-91000004 as presented.

Second by Commissioner Wheeler-Hall

Motion to approve carried

Ayes: Commissioners Barrera, Wheeler-Hall, Tschappat, Follis, Martin, Warren, and Chairman Lawler

Nays: None

Motion to approve passes, 7-0

6. Public Hearing (7:26pm): Open public hearing to receive input on an application for Special Conditional Use Permit (SCUP) #19-91000005, a request of Paul Grohman of Gromax Development, applicant; on behalf of CSBP Land Investments, LP, owner; for an amendment to a SCUP allowing for additional senior living units on a 9 acre tract of land legally described as Reserve C, Block 1, Bay Area 28 Subdivision

- a) **Staff Presentation:** City Planner, Ian Clowes, presented the SCUP amendment as an increase in the number of rooms allotted for a senior care facility from 100 rooms to up to 240 units on the site. It's part of the Morgan's Landing development, located on Bay Area Blvd. The increase in allowable units is the only alteration to the previously approved SCUP that is requested by the applicant. Staff has a recommendation of approval for this SCUP amendment.
- b) **Applicant Presentation:** Paul Grohman – 4201 W Broadway, Pearland TX – Approaches the commission stating that after further research into the property, there is an opportunity to have a higher density of units on the site, without negatively impacting the area.
- c) **Public Comments:** N/A
- d) **Question and Answer:** N/A

Motion by Commissioner Warren to approve the proposed Special Conditional Use Permit (SCUP) #19-91000005

Second by Commissioner Follis

Motion to approve carried

Ayes: Commissioners Barrera, Wheeler-Hall, Tschappat, Follis, Martin, Warren, and Chairman Lawler

Nays: None

Motion to approve passes, 7-0

7. Public Hearing (7:44pm): Open public hearing to receive input on an application for Zone Change #19-92000002, a request by Justin E. Bennet of Phelan-Bennett Development, applicant; on behalf of Carrington F. Weems, owner; for approval of a zone change from General Commercial (GC) to Planned Unit Development (PUD), on a 5.051 acre tract of land located at the northeast corner of S. 16th St. and the W. M St. right of way, and legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision.

- a) **Staff Presentation:** City Planner, Ian Clowes, presented a zone change from General Commercial (GC) to Planned Unit Development (PUD),

request by Justin E. Bennet. An adjacent developer returned a letter of objection to the zone change.

- b) **Applicant Presentation:** Justin E. Bennet - 1403 Maryland St., Houston TX – Explained the proposed development and how this submittal is different from the previous submittal to the Planning and Zoning Commission. A reduction in the number of overhead doors is the main selling point to quell truck traffic in the area. Additionally, there would be a limit of 100,000 square feet of structure, which would further hinder the type of uses for the property.
- c) **Public Comments:**
Chuck Rosa – 812 S Virginia St. – Offers support for the proposal because of the nature of the area promoting truck traffic, regardless if this development happens or not.
- d) **Question and Answer:** Commissioners Follis and Martin mentioned that the surrounding area and uses promote truck traffic, regardless if this use was introduced to the area.

Motion by Commissioner Tschappat to deny the proposed Zone Change #19-92000002

Second by Commissioner Martin

Motion to deny carried

Ayes: Commissioners Tschappat, Follis, and Martin

Nays: Commissioners Barrera, Wheeler-Hall, Warren, and Chairman Lawler

Motion to deny fails, 3-4

Motion by Commissioner Barrera to approve the proposed Zone Change #19-92000002

Second by Commissioner Warren

Motion to approve carried

Ayes: Commissioners Barrera, Wheeler-Hall, Warren, and Chairman Lawler

Nays: Commissioners Tschappat, Follis, and Martin

Motion to approve passes, 4-3

- 8. **Future Land Use Map Amendment (8:24pm):** Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 5.051 acre tract of land located at the northeast corner of S. 16th St. and W. M St., and legally described as

Lots 1-32, Block 1144, and Lots 1-32, Block 1143, La Porte Subdivision, from “Commercial” to “Light Industrial”

- a) **Staff Presentation:** City Planner, Ian Clowes, presented to the commission a Future Land Use Map change from “Commercial” to “Light Industrial”
- b) **Applicant Presentation:** N/A
- c) **Public Comments:** N/A
- d) **Question and Answer:** N/A

Motion by Commissioner Warren for amendment of Future Land Use Map to La Porte City Council

Second by Commissioner Barrera

Motion to approve carried

Ayes: Commissioners Barrera, Wheeler-Hall, Warren, and Chairman Lawler

Nays: Commissioners Tschappat, Follis, and Martin

Motion to approve passes, 4-3

9. **Public Hearing (8:26pm):** Open public hearing to receive input on an application for a Special Conditional Use Permit (SCUP) #19-91000003, a request by Justin E. Bennet of Phelan-Bennett Development, applicant; on behalf of Carrington F. Weems, owner; to allow for an industrial office/warehouse facility, to locate on a 5.051 acre tract of land located at the northeast corner of S. 16th St. and the W. M St. right of way, and legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision.

- a) **Staff Presentation:** City Planner, Ian Clowes, presented a SCUP request by Justin E. Bennet to allow for development on a Planned Unit Development (PUD) zoned property. The proposed development would be an industrial building with a limited number of cargo bay doors (7 total). Conditions include: All uses allowed in Business Industrial (BI) and Light Industrial (LI), except for those uses that are required to be adjacent to a high frequency truck route. Additionally, uses that encompass shipping/tank containers, outside storage of raw materials, and stacking of containers would not be permitted. Screening will be implemented on site. At this time, Tier 2 façade materials would be implemented on-site. Site will be “dust-free” and will have on-site detention as required by the code of ordinances.

There was 1 letter of opposition that was received by staff and it was the same resident as the zone change opposition letter author.

- b) **Applicant Presentation:** N/A
- c) **Public Comments:** N/A
- d) **Question and Answer:** Commissioner Barrera raised concerns on approval of this SCUP request and its contingency on the closure of adjacent Right of Way.

Motion by Commissioner Barrera to approve the proposed SCUP #19-91000003

Second by Commissioner Warren

Motion to approve carried

Ayes: Commissioners Barrera, Wheeler-Hall, Warren, and Chairman Lawler

Nays: Commissioners Tschappat, Follis, and Martin

Motion to approve passes, 4-3

10. Resolution (Voted to be moved to the beginning of the meeting as item 4, (6:02pm)):

Discussion and possible action on a Planning and Zoning Commission recommendation to the City Council to utilize two areas of undeveloped public right of way located on portions of S. Lobit St. and Jefferson St., fronting Galveston Bay, for park/recreation purposes.

Staff Presentation: City Planner, Ian Clowes, provided background on both undeveloped portions of Right of Way (ROW) in question (S. Lobit St. & Jefferson St.) as well as the projected cost to maintain each area if developed into a park/recreation area. City Engineer, Lorenzo Wingate, addressed the commission with information about planned roadway and cul-de-sac improvements to this section of Jefferson St. by the City of La Porte.

Public Comments:

- JB Williamson – 820 W. Main St, Suite B - An attorney acting on behalf of an adjacent property owner, spoke in opposition of turning the ROW into park/recreation areas
- Vicki Campisi – 1902 Roscoe St. – Spoke in opposition of turning the ROW into park/recreation areas

- Jack Mace – 212 Jefferson St. – Spoke in opposition of turning the ROW into park/recreation areas
- Patricia Stevens – 740 S Lobit St. – Spoke in opposition of turning the ROW into park/recreation areas
- Lawn Hill – 740 S Lobit St. – Spoke in opposition of turning the ROW into park/recreation areas
- Mike Vance – 755 E Lobit St. – Spoke in opposition of turning the ROW into park/recreation areas
- Michael Fisco – 1918 Roscoe St. – Spoke in opposition of turning the ROW into park/recreation areas
- Mark Vennable – 201 N Nugent – Spoke in opposition of turning the ROW into park/recreation areas

Motion by Commissioner Follis to table recommendation to City Council for utilization of two areas of undeveloped public right of way for park/recreation purposes

Second None

Motion table fails due to lack of second

Motion by Commissioner Warren to deny the proposed recommendation to City Council for utilization of two areas of undeveloped public right of way for park/recreation purposes

Second by Commissioner Tschappat

Motion to deny carried

Ayes: Commissioners Barrera, Wheeler-Hall, Tschappat, Follis, Martin, Warren, and Chairman Lawler

Nays: None

Motion to deny passes, 7-0

11. Discussion:

- a) A request by a developer to extend the high frequency truck route to a portion of W. M St. and W. E St.
 - The commission was in favor of W. M St. being added to the high frequency truck route, but not W. E St. The commission recommended staff look for alternative solutions to the W. E St.
- b) Changes to the city code of ordinances to allow items to be denied with prejudice by either the Planning and Zoning Commission or City Council

- Members of the commission were in favor of amending the city code of ordinances to allow for items to be denied with prejudice.

12. Administrative Reports (9:04pm):

13. Commission Comments (9:06pm): No comments from the commission

14. Adjourn (9:06pm):

Motion by Commissioner Warren to adjourn

Second by Commissioner Barrera

Motion to adjourn carried

Ayes: Commissioners Barrera, Wheeler-Hall, Tschappat, Follis, Martin, Warren, and Chairman Lawler

Nays: None

Motion to adjourn passes, 7-0

Respectfully submitted,

Chase Stewart
Planning Technician

Passed and Approved on _____, 2019.

Hal Lawler
Chairman, Planning and Zoning Commission

Trey Kendrick
Secretary, Planning and Zoning Commission

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



August 15, 2019

AGENDA ITEMS 4-6

Zone Change Request #19-92000003

A request by Jason W. Bailey, applicant; on behalf of Bayshore Baptist Church, owner; for approval of a zone change from Low Density Residential (R-1) and High Density Residential (R-3) to General Commercial (GC), on a 10 acre tract of land located at 11311 Spencer Hwy., and legally described as a portion of Tracts 71, 71A-1, & 71A-4, La Porte Outlots.

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

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission recommend approval of a change in zoning from High Density Residential (R-3) and Low Density Residential (R-1) to the General Commercial (GC) zoning district; on approximately 10 acres of land, legally described as a portion of Tracts 71, 71A-1, & 71A-4, La Porte Outlots?

DISCUSSION

Location:

The subject site is located at the 11311 Spencer Hwy.

Background Information:

The property is currently a portion of the overall 20 acre tract of land owned by Bayshore Baptist Church. The eastern half of the property is currently where the existing church facilities are located. The western half is undeveloped. The western 10 acres is the area being requested for a zone change. The applicant would like to develop a small office/warehouse complex on the undeveloped 10 acres. In order to allow this, the site must be rezoned to General Commercial.

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

	Zoning	Land Use
North	R-1, Low Density Residential	Spencer Landing Subdivision
South	GC, General Commercial	Self-Storage Facility
West	PUD, Planned Unit Development	Exxon Pipeline/Airport
East	R-1, Low Density Residential/R-3, High Density Residential	Bayshore Baptist Church

The site is currently identified as Public/Institutional in the Future Land Use Map (Exhibit C). As a result, in order to rezone the property, the city's Future Land Use Map should be amended to identify this site as Commercial.

Notification Requirements:

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

Analysis:

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

1. *Land Use.* Staff finds that allowing for a commercial use to be constructed on this site would be consistent with other adjacent uses in the area.
2. *Access.* There is sufficient existing right-of-way access along Spencer Hwy.
3. *Utilities.* Water service is available on the south side of Spencer Hwy. in front of the subject property. Sewer service is located on the north side of Spencer Hwy. and will need to be extended to the property a distance of roughly 1500 feet.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed zone change would be consistent with adjacent properties to the west and south.
Conformance of a zoning request with the land use plan.	The proposed zone change will be in conformance with the future land use plan once amended to reflect the change to a light industrial use.
Character of the surrounding and adjacent areas.	The proposed zone change would be consistent with current zoning and uses along this section of Spencer Hwy.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Development of the proposed site for commercial uses would be permissible. The size and shape of the proposed lot is favorable for a development of this type.
The extent to which the proposed use designation would adversely affect the	The proposed zone change will have minimal impact on the traffic along Spencer Hwy. Total impact cannot be

Planning and Zoning Commission Regular Meeting
 August 15, 2019
 Zone Change #19-9200003

capacity or safety of that portion of the road.	determined until development and will be based on the specific uses.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	The proposed zone change will not create excessive air pollution or other negative environmental issues, based on information known at this time.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed zone change will allow a vacant parcel to develop in a manner consistent with other properties along this portion of Spencer Hwy.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed zone change from High Density Residential (R-3) and Low Density Residential (R-1) to General Commercial (GC).

ATTACHMENTS

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

AERIAL MAP

**Zone Change
#19-92000003**

11311 Spencer Hwy.

Legend

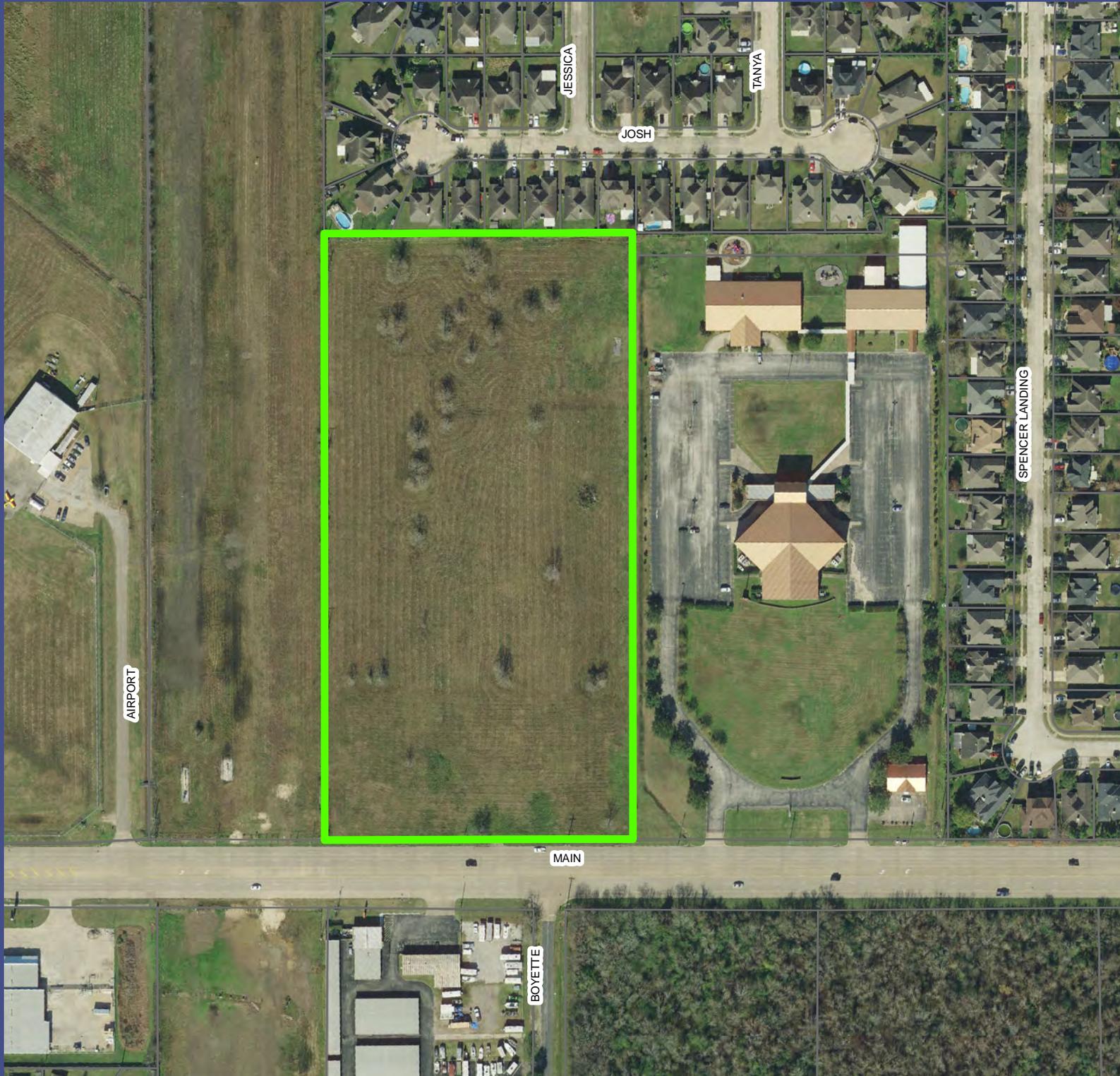
 Subject Parcel



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

1 inch = 214 feet

AUGUST 2019
PLANNING DEPARTMENT



ZONING MAP

Zone Change
#19-9200003

11311 Spencer Hwy.

Legend

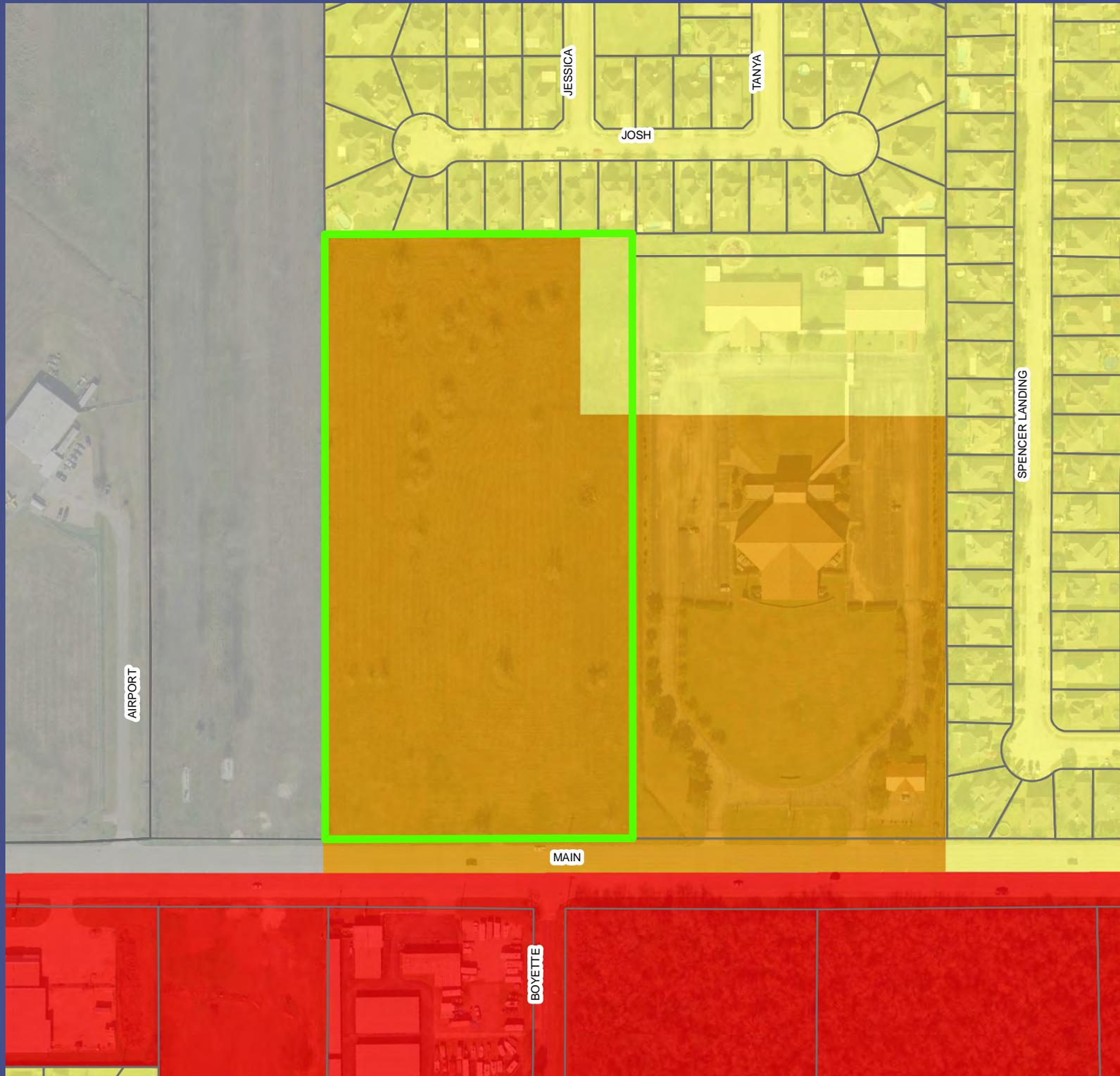
 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT



LAND USE MAP

Zone Change
#19-92000003

11311 Spencer Hwy.

Legend

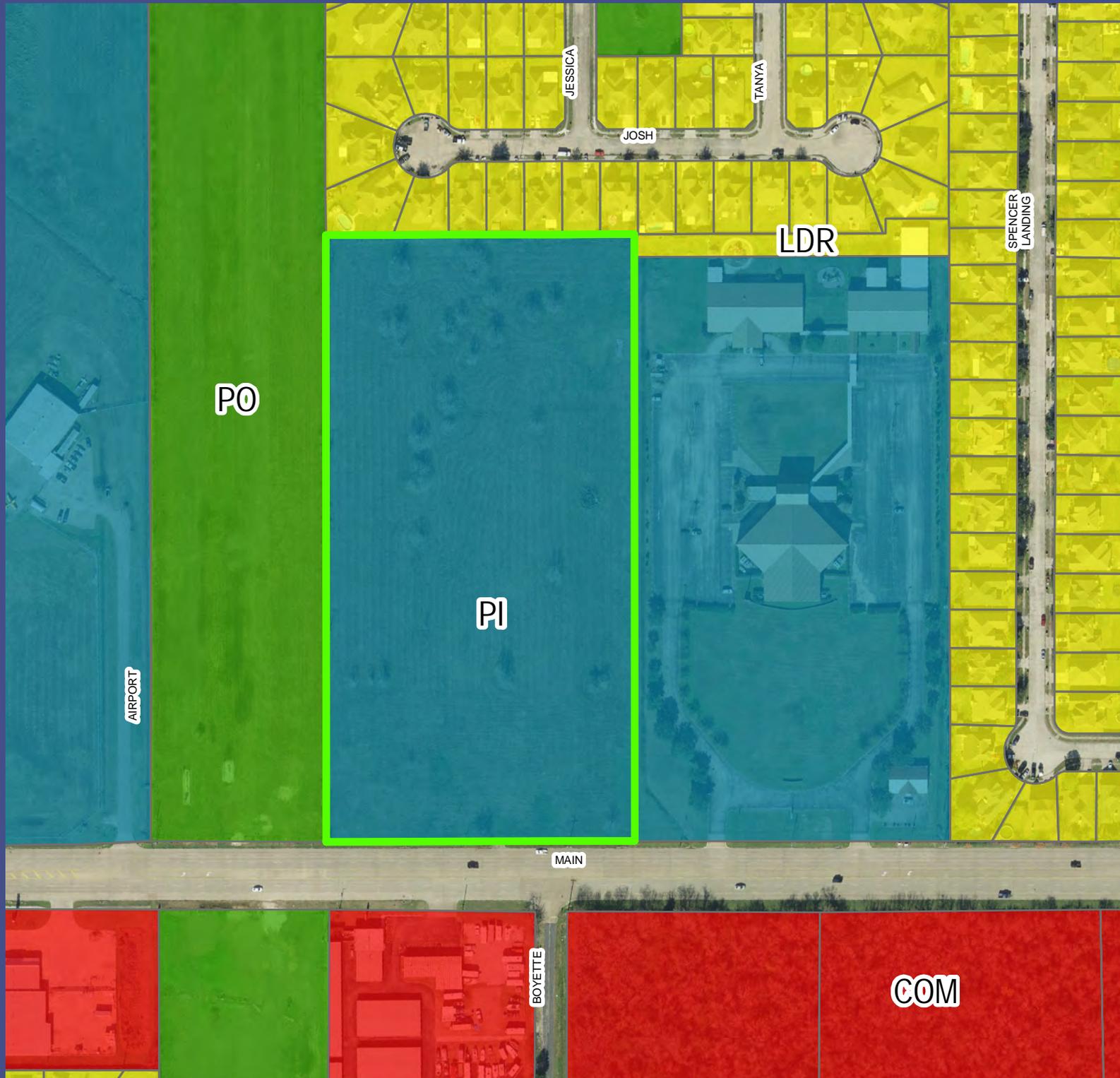
 Subject Parcel



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1 inch = 214 feet

AUGUST 2019
PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 11311 SPENCER HWY / VACANT PROPERTY AREA

Legal description where zone change is being requested: TRS 71 71A-4

HCAD Parcel Number where zone change is being requested: 02313 000000 78

Zoning District: DISTRICT 4 Lot area: 10 ACRES

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

Description of Request: BAYSHORE BAPTIST CURRENTLY OWNS 20 ACRES ALONG SPENCER HWY ZONED R3. THE WEST WARD VACANT 10 ACRES ARE BEING REQUESTED TO BE REZONED.

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

PROPERTY OWNER(S) INFORMATION

Name: _____

Company (if applicable): BAYSHORE BAPTIST CHURCH

Address: 11315 SPENCER HWY

City: LA PORTE State: TX Zip: 77571

Phone: 281.471-0332 Email: _____

AUTHORIZED AGENT (if other than owner)

Name: JASON W BAILEY

Company (if applicable): _____

Address: 11022 ROSEWOOD CT

City: LA PORTE State: TX Zip: 77571

Phone: 713.906.8993 Email: JASONB@hsi.tx.com

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: [Signature]

Date: 4-22-2019

Owner(s) Signature(s): James M. James Trustee

Date: 4-4-19

Owner(s) Signature(s): Richard L. Benfield Trustee

Date: 4-4-19

STAFF USE ONLY:

Case Number:

19-9200003

Date Application Received:

7/2/19



Zone Change Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

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

ADDRESS: 11311 SPENCER HWY

LEGAL DESCRIPTION: TRS 71 ; 71A-4

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

Applicant's Signature

JASON W BAILEY
Applicant's Printed Name

Subscribed and sworn before me this _____ day of _____, _____ by

(Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____



Electrical Contractors
P.O. Box 262927 Houston, TX 77207

Industrial and Commercial
6626 Rupley Circle Houston, TX 77087

April 22, 2019

P&Z; City Council

SUBJ: 11311 Spencer Hwy Vacant Lot Area

To whom it may concern:

We are submitting a request for subject property to be zoned for general commercial. Currently the property is zoned R3. As displayed in our preliminary documents, we would like to propose a place of business for ourselves on the land currently owned by Bayshore Baptist Church. We would have future expectations for an additional spec building and a possible retail center on Spencer frontage. Due diligence has been taken to affirm the support of the church in the sale of the land and the community at Spencer Landing for our proposed project. We believe the development of the land will bring tax revenue to the city, employment opportunities, and provide needed support to the local church. As a 26 year member of Bayshore and a resident of La Porte for 40 years, I am excited to see our business have the opportunity to reside in my home town. I look forward to working with the city on this development.

About our company: HSI is an electrical design-build contractor currently providing services in Texas, New Mexico, and Louisiana. Our primary markets are in the petrochemical, manufacturing and food processing industries. Some of our customers include Tyson, South Coast Terminals, Enterprise, Chevron, Tenaris, SGS Labs, Dishaka USA and Sekisui. We employ an average of 7 office personnel and 30 field personnel. We have maintained a zero incident rate for our 20 years in operation and maintain an active attitude toward the safety of our team members. Please feel free to visit our website at www.hsitx.com.

About our Building Plans: We are proposing to provide a retention pond at the north side of the property. This will allow a buffer zone between our business and the residence at Spencer Landing. The first proposed building will be toward the North of the property just South of the retention pond. This building will be approximately 13,000 sq. ft. 3,000 sq. ft. will be designated office space with the

Engineering ★ *Design* ★ *Construction*

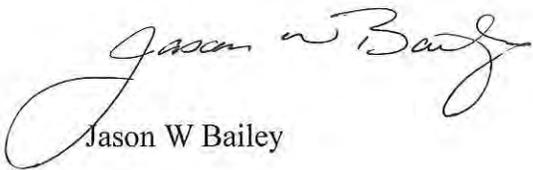
Telephone (713) 454-1177

Fax (713) 454-1178

remainder of 10,000 sq. ft. providing storage for tools, trucks and trailers. Building will contain a concrete or asphalt style apron around the perimeter to allow for access to all sides. Fencing will be placed to enclose the storage area of the building to limit access and to maintain a clean and appealing appearance. The building shall be oriented East to West with the office portion facing the East and the back of the storage area facing the West to the pipeline easement. A private drive is proposed to bring access to our facility as well as access to proposed future building(s). Drawings provided give a general idea of the overall building structure and the proposed property layout.

Thank you for consideration.

Sincerely,



Jason W Bailey

Service



Design



Construction

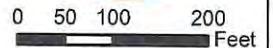
Telephone (713) 454-1177

Fax (713) 454-1178

6154D6



Harris County Appraisal District



PUBLICATION DATE:
12/28/2018

Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.

MAP LOCATION

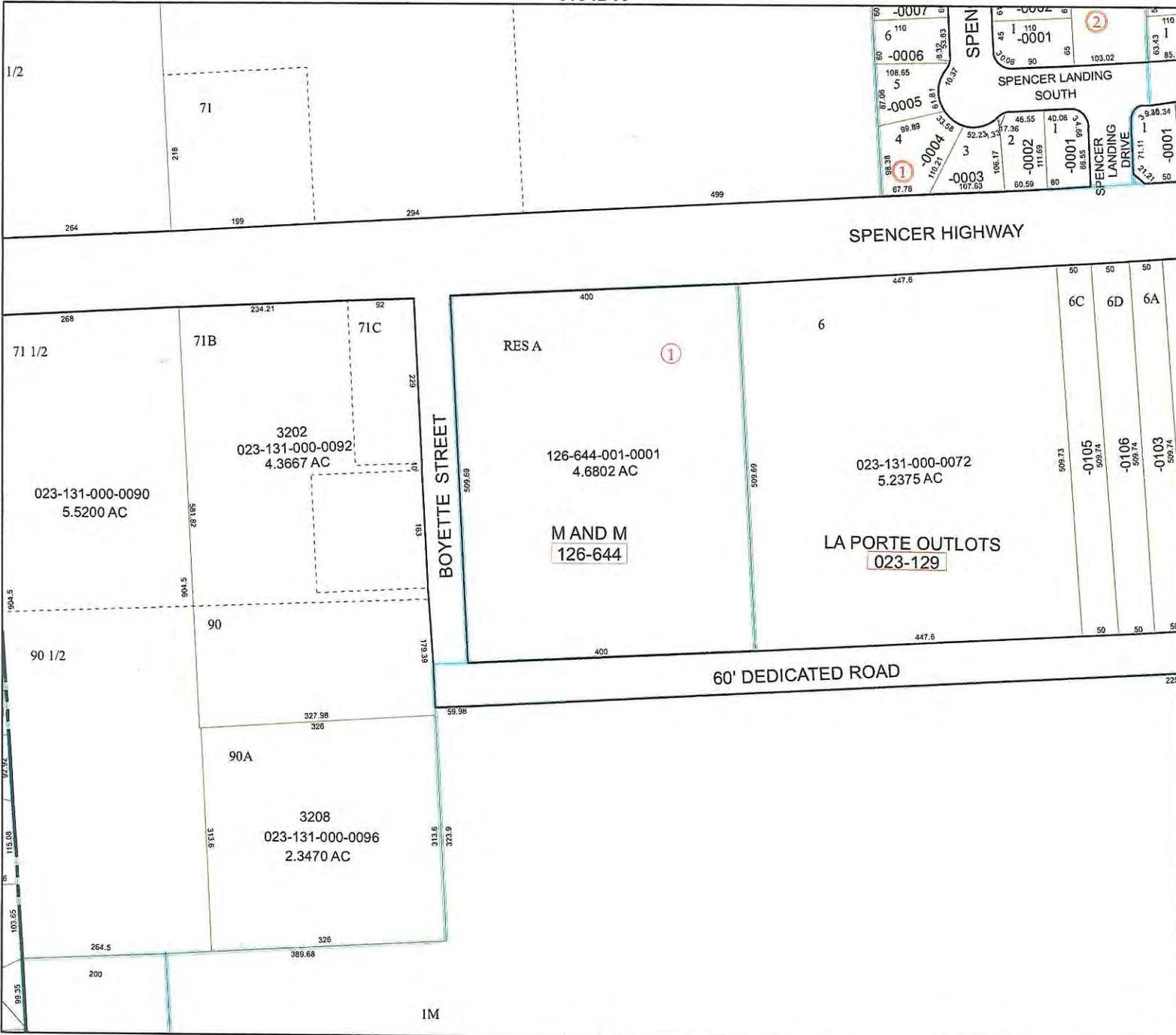


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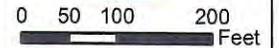
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4	1	2	3	4

6153B2

6154D10



Harris County Appraisal District



PUBLICATION DATE:
3/19/2019

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MAP LOCATION



FACET 6153B

12	9	10	11	12
4	1		3	4
8	5	6	7	8

6153B6

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



August 15, 2019

AGENDA ITEM 7

Future Land Use Map Amendment #19-92000003

A request by Jason W. Bailey, applicant; on behalf of Bayshore Baptist Church, owner; for an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 10 acre tract of land legally described as a portion of Tracts 71, 71A-1, & 71A-4, La Porte Outlots, from "Mid-High Density Residential" to "Commercial" use.

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

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

DISCUSSION

Staff is presenting for consideration an amendment to the city's Future Land Use Plan in conjunction with a zone change request on a 10 acre tract of land from R-3 to GC. The site is currently undeveloped and is located at 11311 Spencer Hwy.

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

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

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

	Land Use	Development
North	Low Density Residential	Spencer Landing Subdivision
South	Commercial	Self-Storage Facility
West	Parks and Open Space	Undeveloped
East	Public	Bayshore Baptist Church

RECOMMENDATION

Should the Planning and Zoning Commission desire to recommend approval for zone change 19-92000003, then the city's Future Land Use Plan should be amended as described in this item.

ATTACHMENTS

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

CURRENT LAND USE MAP

Zone Change #19-92000003

11311 Spencer Hwy.

Legend

 Subject Parcel



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1 inch = 214 feet



AUGUST 2019
PLANNING DEPARTMENT



PROPOSED LAND USE MAP

Zone Change
#19-92000003

11311 Spencer Hwy.

Legend

 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT



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



August 15, 2019

AGENDA ITEMS 8-10

Zone Change Request #19-92000004

A request by Doak Brown of Brownstone Ventures, LLC, applicant; on behalf of Jack Howard, Floyd Howard, and Larry Allen, owner; for approval of a zone change from General Commercial (GC) to Planned Unit Development (PUD), on a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd., and legally described as Tracts 710A and 711, La Porte Outlots.

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

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission recommend approval of a change in zoning from General Commercial (GC) to the Planned Unit Development (PUD) zoning district; on approximately 12.608 acre tract of land, legally described as Tracts 710A and 711, La Porte Outlots?

DISCUSSION

Location:

The subject site is located at the northwest corner of Fairmont Pkwy. and Canada Rd.

Background Information:

The property is currently undeveloped. The applicant, along with the owner of the property, would like to change the zoning to PUD with a Special Conditional Use Permit (SCUP), to allow for the construction of a 294 unit multi-family development, on the 12.608 acre tract of land. The proposed development will consist of one main residential structure along with an attached 2 story parking garage and additional surface parking and garage structures.

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

	Zoning	Land Use
North	MH, Manufactured Housing	Pecan Park
South	GC, General Commercial	Stripes/Fairmont Pkwy.
West	R-1, Low Density Residential	Drainage/Easements
East	GC, General Commercial	Undeveloped

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

Notification Requirements:

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

Analysis:

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

1. *Land Use.* Staff finds that allowing for a multi-family development on the proposed site would be consistent with development patterns in the area. The proposed development is a better suited adjacent use for Pecan Park to the north than a number of the General Commercial (GC) uses that could be developed on the site.
2. *Access.* There is sufficient existing right-of-way access along both Fairmont and Canada.
3. *Utilities.* Water service is available along both Fairmont and Canada. Sewer service is available along Canada.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed development would be consistent with growth patterns in the area. The proposed development would act as an ideal buffer for the adjacent city park to the north compared with other permitted GC uses.
Conformance of a zoning request with the land use plan.	The proposed zone change will be in conformance with the future land use plan once amended to reflect the change to a mid-high density residential use.
Character of the surrounding and adjacent areas.	The proposed zone change would be consistent with the development pattern along this section of Fairmont and Canada.
Suitability of the property for the uses which would be permissible, considering density, access and	The proposed development is ideal for this property given its size and shape. Traditional commercial development would

Planning and Zoning Commission Regular Meeting
 August 15, 2019
 Zone Change 19-92000004

circulation, and adequacy of public facilities and services.	not be feasible given the current size, shape, and street frontage.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	The proposed zone change could have measurable impacts to adjacent rights of way. Staff recommends that a traffic impact analysis be performed as a condition within the proposed SCUP request.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	The proposed zone change will not create additional excessive air pollution or other negative environmental issues.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed zone change will allow a vacant parcel to develop in a manner consistent with other properties of this nature along Fairmont.

RECOMENDATION

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

ATTACHMENTS

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

AERIAL MAP

**Zone Change
#19-9200004**

**NW Corner of
Canada & Fairmont**

Legend

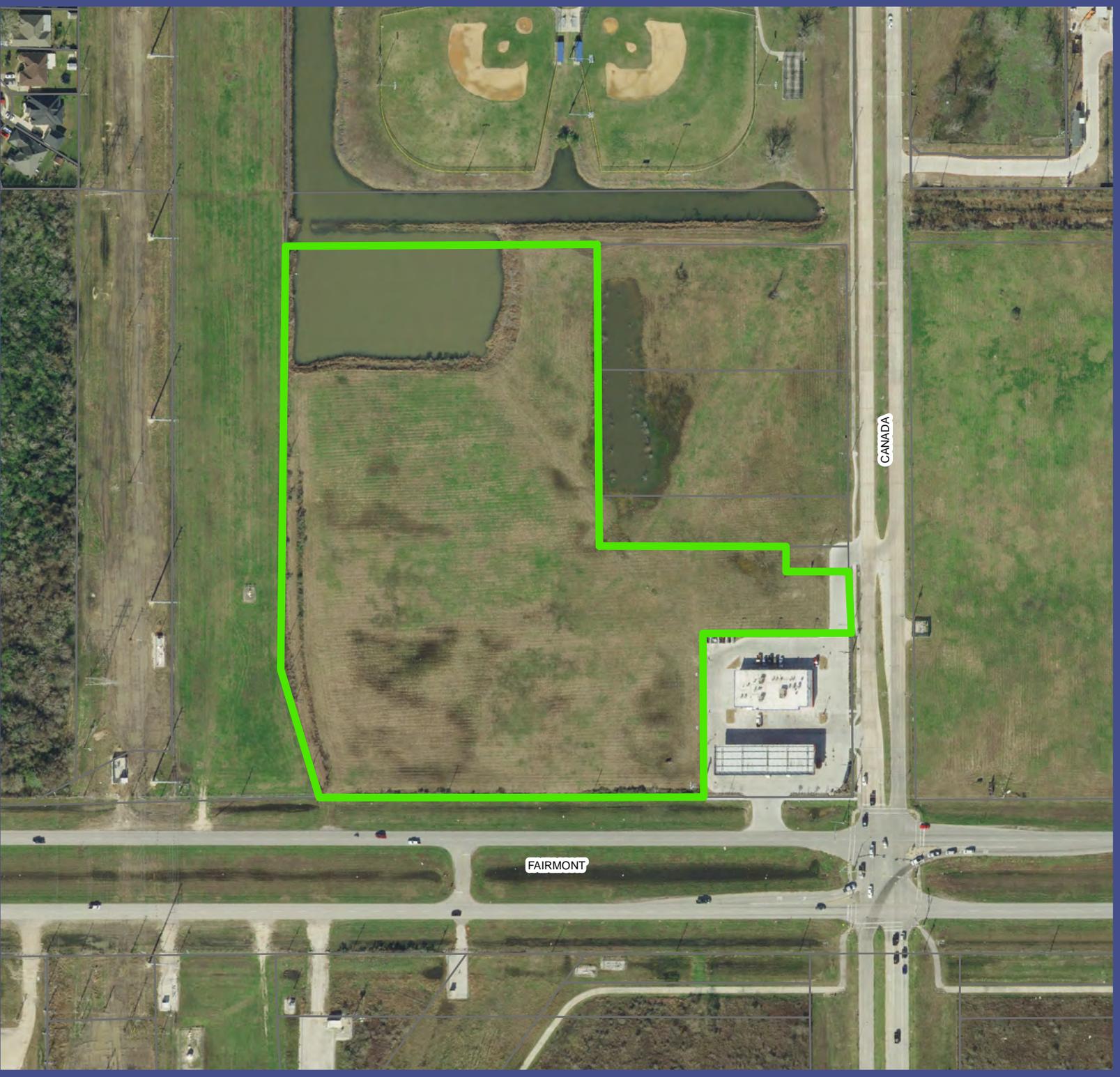
 Subject Parcel



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**AUGUST 2019
PLANNING DEPARTMENT**



ZONING MAP

Zone Change
#19-9200004

NW Corner of
Canada & Fairmont

Legend

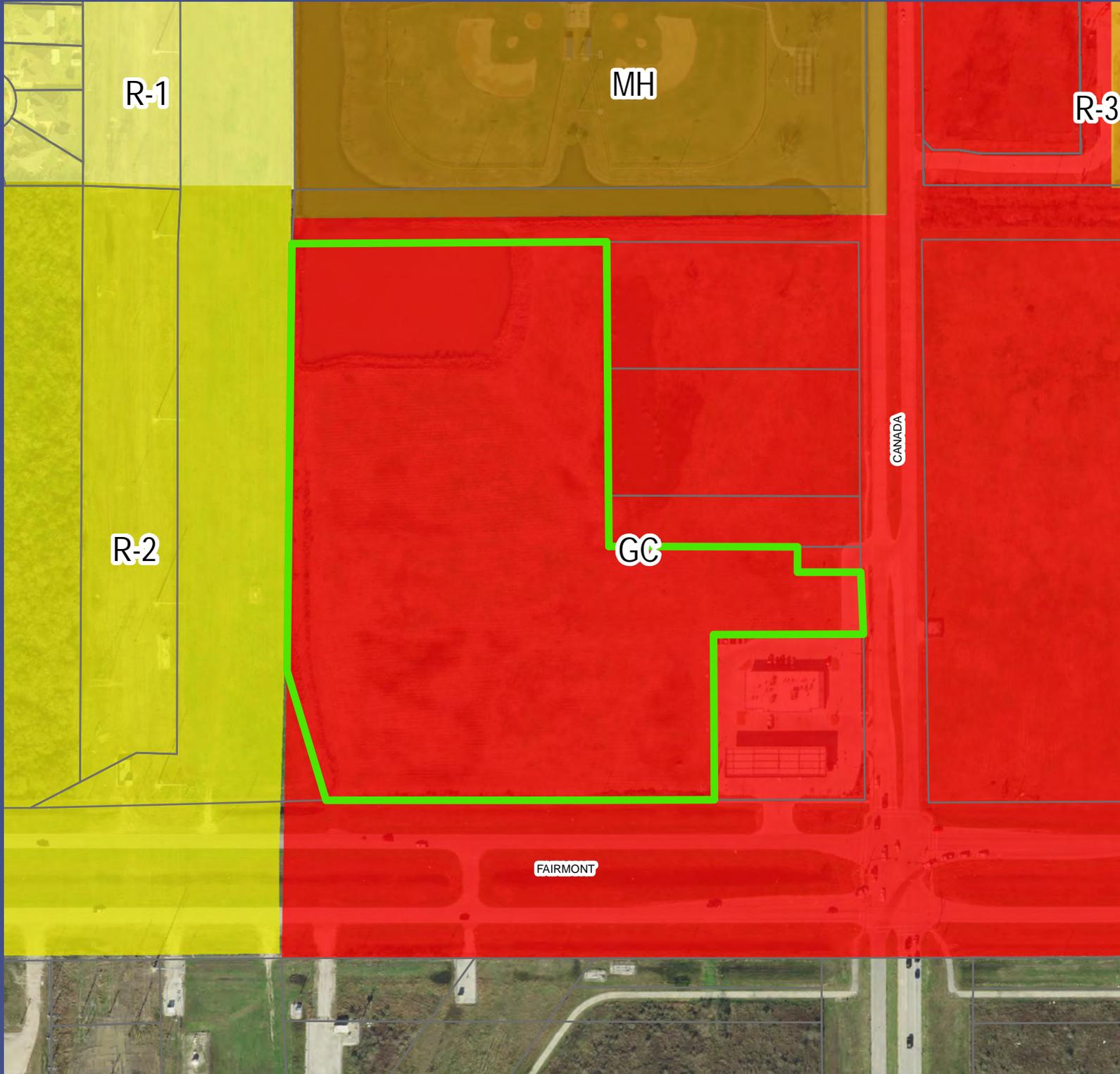
 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT



LAND USE MAP

**Zone Change
#19-92000004**

**NW Corner of
Canada & Fairmont**

Legend

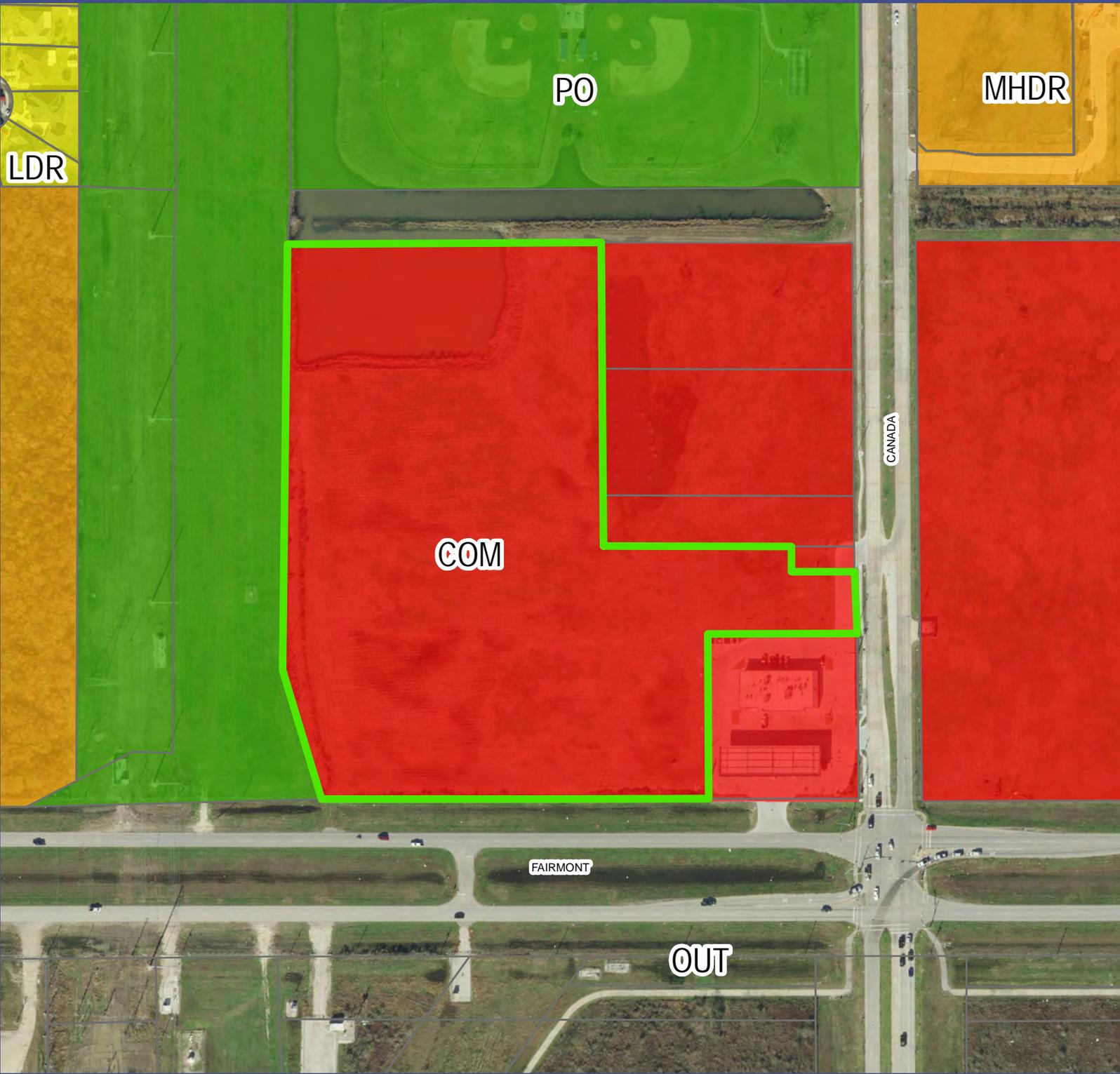
 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: Vacant 12.608 acre parcel located at NW corner of Fairmont Pkwy and Canada

Legal description where SCUP is being requested: TRS 710A and 711, La Porte Outlots

HCAD Parcel Number where SCUP is being requested: 0231460000710

Zoning District: General Commercial Lot area: 12.608 acres

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

Description of Request: Approval of a zone change to PUD and approval of the proposed conceptual site plan

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

PROPERTY OWNER(S) INFORMATION

Name: Jack Howard, Floyd Howard and Larry Allen

Company (if applicable): Attn: Nolan Allen

Address: 4212 Red Bluff Rd.

City: Pasadena State: Texas Zip: 77503

Phone: 281-703-2618 Email: nolanallen@comcast.net

AUTHORIZED AGENT (if other than owner)

Name: Brownstone Ventures, LLC

Company (if applicable): Attn: Doak Brown

Address: 6517 Mapleridge

City: Houston State: Texas Zip: 77081

Phone: 713-705-3507 Email: doak@thebrownstonegroup.net

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: _____ Date: _____

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

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: Vacant 12.608 acre parcel located at NW corner of Fairmont Pkwy and Canada

Legal description where SCUP is being requested: TRS 710A and 711, La Porte Outlots

HCAD Parcel Number where SCUP is being requested: 0231460000710

Zoning District: General Commercial

Lot area: 12.608 acres

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

Description of Request: Approval of a zone change to PUD and approval of the proposed conceptual site plan

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

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City: Pasadena

State: Texas

Zip: 77503

Phone: 281-703-2618

Email: nolanallen@comcast.net

AUTHORIZED AGENT (if other than owner)

Name: Brownstone Ventures, LLC

Company (if applicable): Attn: Doak Brown

Address: 6517 Mupleridge

City: Houston

State: Texas

Zip: 77081

Phone: 713-705-3507

Email: doak@thebrownstonegroup.net

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: *Doak Brown*

Date: 7/10/19

Owner(s)' Signature(s): *Jack Howard, Floyd Howard, Larry Allen*

Date: 7-10-19

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

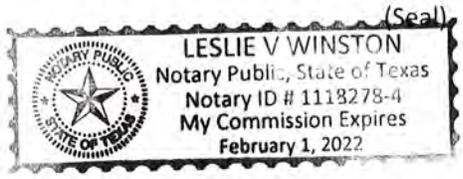
1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:
ADDRESS: Vacant 12.608 acre parcel located at NW corner of Fairmont Pkwy and Canada
LEGAL DESCRIPTION: TRS 710 A and 711, La Porte Outlots
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: _____.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

[Signature]
Applicant's Signature
Doak Brown
Applicant's Printed Name

Subscribed and sworn before me this 11th day of July, 2019, by
Doak Brown (Print Applicant's Name).

[Signature]
Notary Public

My commission expires: 2/1/22



DEVELOPMENT SUMMARY

Hawthorne at Fairmont will be a Class A residential apartment community that provides 294 new luxury units to the City of La Porte. While offering a wide range of residential options – including one, two, and three bedroom floor plans, the interior features and exterior amenities will remain top-notch and exceed similar existing Class A apartment communities in the surrounding cities.

Hawthorne at Fairmont has been designed in an urban architectural style, to accommodate the increasing multi-family market demand in La Porte. Situated on 12.608 acres of land located at the northwest intersection of Fairmont Parkway and Canada, Hawthorne at Fairmont development will serve residents from the increasing petrochemical job growth and economic expansion that is impacting the nearby ship channel. Moreover, this new community will provide luxury apartment options for nearby businesses and working residents in the La Porte vicinity.

Rental rates at Hawthorne at Fairmont are projected to range from approximately \$1,225 for the smallest one-bedroom units up to \$1,995 for the three bedroom units. Residents will be responsible for paying all their utilities and will have the option to rent garages. Additionally, all residents will need to pass criminal background checks and credit checks.

At *Hawthorne at Fairmont*, the interiors will feature luxury kitchens with designer cabinets, stainless steel appliances, luxury plank style flooring, crown molding, granite countertops, full size washers and dryers, and open living areas. Other distinctive features will include pantries, large walk in closets, garden size tubs with enclosed shower areas, and spacious balconies and patios with convenient outside storage.

The exterior of *Hawthorne at Fairmont* will include a pleasurable design of stone, brick, stucco, and cementitious siding construction on the four-story building. This attractive Class-A building will provide a comfortable residential feel situated around an internal courtyards with a heavy use of pleasing landscaping and fencing around the perimeter. The clubhouse will feature a furnished community room with custom home finishes. The building will be elevator served and the development will include a fitness center, outdoor grilling areas, along with a resort style swimming pool in the interior courtyard. Additionally, Hawthorne at Fairmont will be a gated access community and have detached garages and covered parking options for most units.

Hawthorne at Fairmont complies with La Porte's zoning ordinance except that the development will need to obtain a variance for four items. First, the zoning ordinance only allows 14 units per acre. Hawthorne at Fairmont's proposed density is 23.4 units per acre. Second, the zoning ordinance limits multifamily developments to 180 units. Hawthorne at Fairmont is proposing 295 units. Third, the zoning ordinance states that buildings cannot exceed 45 feet in height. With the proposed building being a four story, elevator served building, the height of the building would be 60 feet. Fourth, the zoning ordinance prevents multifamily residential developments within 1,000 feet of each other if they are larger multifamily developments. If this distance is measured from building to building, then our proposed development would be more than 1,000 feet from the closest other multifamily development; however if this distance is measured from property line to property line, we would be within 1,000 feet of another senior multifamily development on the other side of Canada.

We believe that Hawthorne at Fairmont is worthy of a variance for density, height and spacing because La Porte needs this type of housing to be competitive with surrounding communities. There is currently no Class A apartment community like the proposed development in the City of La Porte with this being a four-story elevator served community. The City of La Porte is most likely losing residents who choose to live in surrounding communities despite working in or near the City of La Porte because of the lack of new multifamily developments. The proposed density and number of units of this development allows for nicer amenities than the 14 units per acre and 180 units limitations would allow. With regard to spacing, the other development that is potentially within 1,000 feet depending upon how the distance is measured is serving a senior population which our proposed development would not be competing with from a leasing perspective. Additionally, strict compliance with the zoning ordinance is economically infeasible these days because of the cost of construction associated with Class A multifamily developments.

Expected to exceed \$40 million dollars in development costs at approximately \$135,000 per unit, *Hawthorne at Fairmont* will benefit from the Brownstone Companies' experience and expertise in developing and constructing quality residential apartment communities. With successful existing developments in Pasadena, Pearland, and multiple other areas throughout Texas and the neighboring Gulf Coast States, the Brownstone Companies will deliver a quality product to the City of La Porte.



PROPERTY DESCRIPTION & LOCATION

Location:	The site is located at the northwest corner of the intersection of Fairmont Parkway and Canada.	
Units:	295 Total Units	
Parcel Size:	12.608 Acres	
Density:	23.4 Units per Acre	
Stories:	Four-Story wood frame construction	
Parking:	515 surface spaces (1.75 per unit)	
Unit Mix:	173 one bedroom / one bath units	(58.6%)
	106 two bedroom / two bath units	(36.0%)
	16 three bedroom / two bath units	(5.4%)
Average Unit Size:	980 square feet	

Unit Amenities

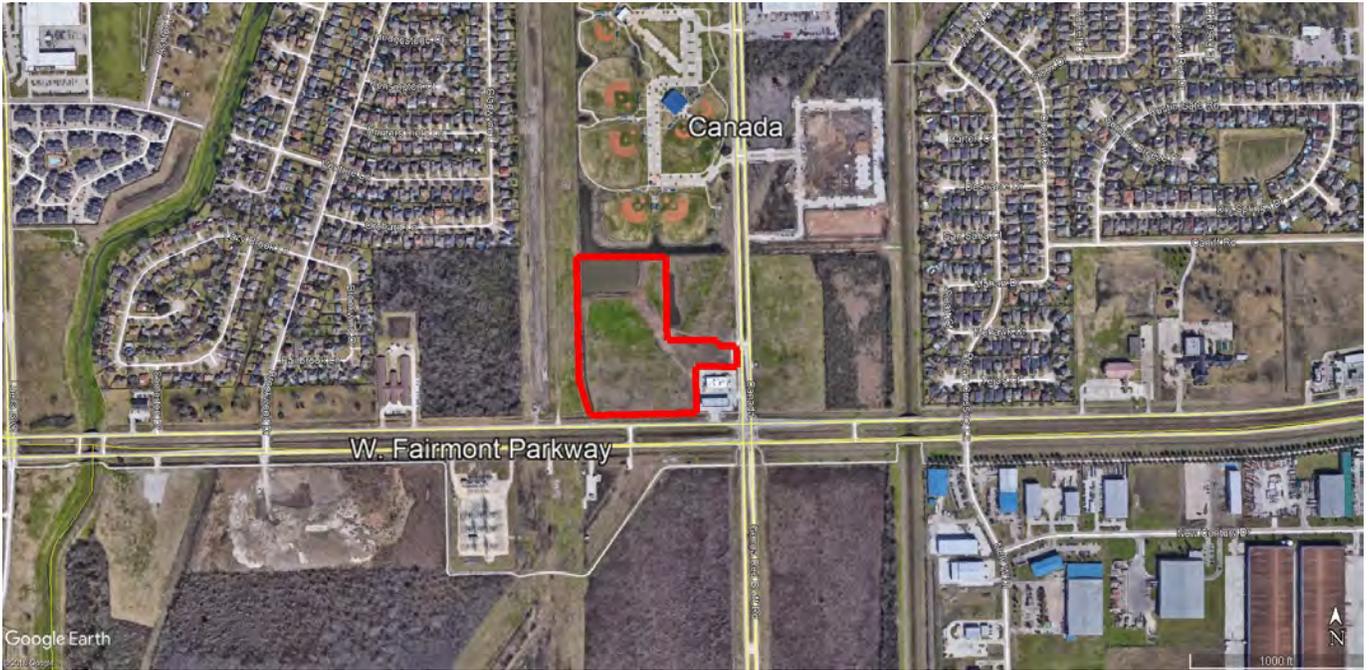
- Central Heating and Air Conditioning
- 2 Inch Wooden Mini Blinds
- Personal Balcony/Patio with Storage
- High-end Plumbing Fixtures
- Luxury Plank Style Flooring
- Designer Ceiling Fans
- Deep Kitchen Sinks
- Designer Paint and Finish
- Modern Kitchens with Large Islands
- Large Soaking Tubs (available in some units)
- Upgraded Shower Heads
- Open Concept Floor Plans
- Tile Backsplash in Kitchens
- Granite Countertops Throughout
- Built-In Microwave
- USB Charging Ports
- Energy Efficient Stainless Steel Appliances
- Walk-In Closets
- Attached and Detached Garages and Carports Available

- Two-Tone Paint
- Full Size Washer and Dryer
- Two Custom Finish Packages Available

Community Amenities:

- 24-Hour Emergency Maintenance Available
- Clubhouse with Resident Lounge
- Billiard Room
- 24 Hour Cyber Café
- Complimentary Coffee Bar
- Outdoor Lounge/Grilling Areas With Fireplace and Flat Screen TVs
- Resort Style Pool with Wifi
- Professional On-Site Management
- Pet Friendly
- Leash-Free Bark Park with Agility Equipment and Hydration Station
- Pet Washing Station
- Playground
- Resident Social Events
- Valet Waste
- Huge 24 Hour Fitness Center with State-of-the-Art Fitness Equipment
- Free Weights in Fitness Center
- Resident Package Receiving
- BBQ/Picnic Areas
- Business Center
- High Speed Internet

AERIAL MAPS



Hawthorne at Fairmont, La Porte - Texas



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



August 15, 2019

AGENDA ITEM 11

Future Land Use Map Amendment #19-92000004

A request by Doak Brown of Brownstone Ventures, LLC, applicant; on behalf of Jack Howard, Floyd Howard, and Larry Allen, owner, for an amendment to the City of La Porte's Future Land Use Plan by amending the land use designation for a 12.608 acre tract of land legally described as Tracts 710A and 711, La Porte Outlots, from "Commercial" to "Mid-High Density Residential" use.

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

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

DISCUSSION

Staff is presenting for consideration an amendment to the city's Future Land Use Plan in conjunction with a zone change request on a 12.608 acre tract of land from GC to PUD. The site is currently undeveloped and is located at the northwest corner of Fairmont Pkwy. and Canada Rd.

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

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

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

	Land Use	Development
North	Parks and Open Space	Pecan Park
South	N/A, Outside City Limits	Undeveloped
West	Parks and Open Space	Drainage Channel/Utility Easements
East	Commercial	Undeveloped

RECOMMENDATION

Should the Planning and Zoning Commission desire to recommend approval for zone change 19-92000004, then the city's Future Land Use Plan should be amended as described in this item.

ATTACHMENTS

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

CURRENT LAND USE MAP

Zone Change
#19-92000004

NW Corner of
Canada & Fairmont

Legend

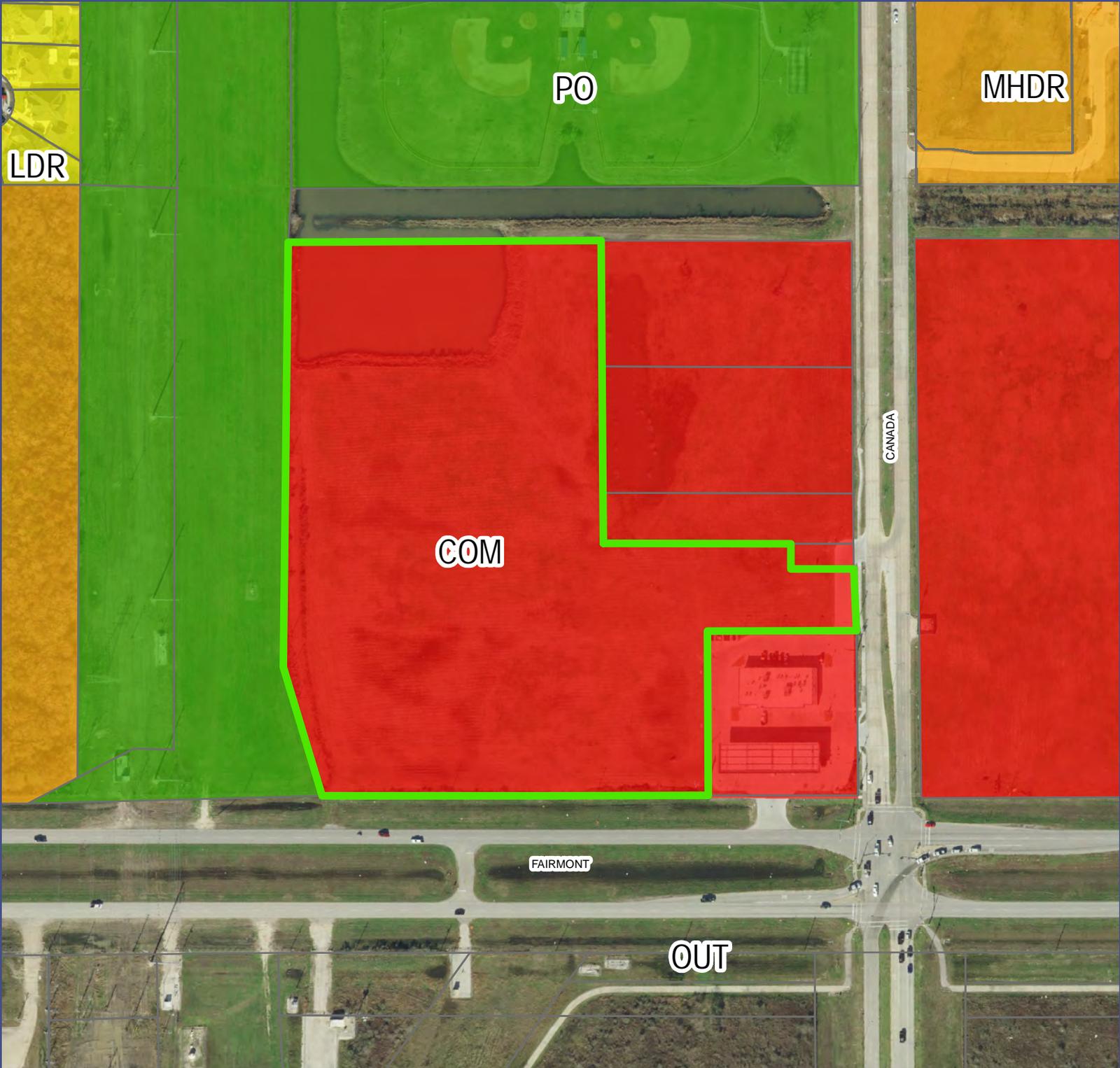
 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT



PROPOSED LAND USE MAP

Zone Change
#19-9200004

NW Corner of
Canada & Fairmont

Legend

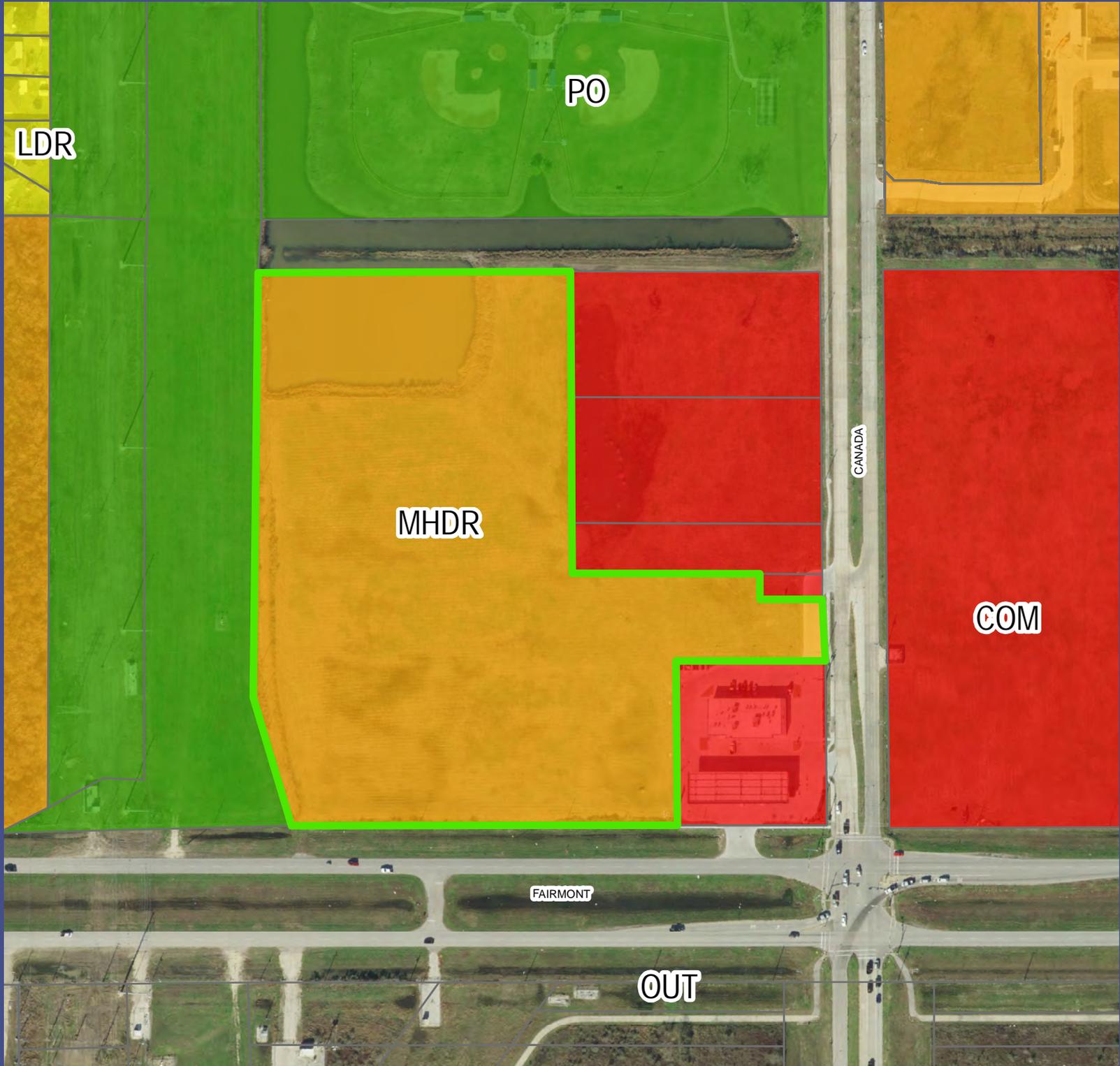
 Subject Parcel



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AUGUST 2019
PLANNING DEPARTMENT



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



August 15, 2019

AGENDA ITEMS 12-14

Special Conditional Use Permit #19-91000006

A request by Doak Brown of Brownstone Ventures, LLC, applicant; on behalf of Jack Howard, Floyd Howard, and Larry Allen, owners; to allow for a multi-family development to locate on a 12.608 acre tract of land located at the northwest corner of Fairmont Pkwy. and Canada Rd. and legally described as Tracts 710A and 711, La Porte Outlots

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

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission recommend approval of a SCUP to allow for a multi-family apartment complex to locate on a 12.608 acre tract of land legally described as Tracts 710A and 711, La Porte Outlots?

DISCUSSION

Location:

The subject site is located at the northwest corner of Fairmont Pkwy. and Canada Rd.

Background Information:

The property is currently undeveloped and zoned General Commercial (GC). The applicant is currently in the process of requesting a zone change to Planned Unit Development (PUD). The applicant is interested in developing a multi-family apartment complex that will consist of 1 singular residential structure, which will include a club house/fitness facility and dual pool areas. The total number of units will not exceed 294 allowing for a proposed density of 24.4 units per acre.

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

	Zoning	Land Use
North	PUD, Planned Unit Development	Undeveloped
South	PUD, Planned Unit Development	Undeveloped
West	PUD, Planned Unit Development	Port Crossing
East	PUD, Planned Unit Development	City Golf Course

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case notice was sent to all property owners and residents within the

rezoning area; 2 signs were posted in the area of the rezoning within 15 days of the hearing. In accordance with state law, notice of the public hearing was also posted at City Hall and on the City’s website.

Analysis:

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

1. *Land Use.* The proposed apartment complex is a good fit with the surrounding land uses and will act as a buffer between the existing city park to the north and the possible future commercial to the east.
2. *Access.* There is sufficient existing right-of-way access along both Fairmont Pkwy and Canada Dr. The main access point will focus on Fairmont Pkwy. with secondary access off of Canada Rd. Both roads are of sufficient width.
3. *Utilities.* Sewer services are available along the eastern edge of Canada Rd. Water service is available along both Fairmont Pkwy. and Canada Rd. Any extensions or tie-ins to city facilities will need to be constructed by the developer.

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

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Existing infrastructure in the area is sufficient to support the proposed use.
Impact on the value and practicality of the surrounding land uses.	Proposed development would be consistent with development patterns in the area and would serve as a transitional buffer between existing city park to the north and possible future commercial to the east.
Conformance of a zoning request with the land use plan.	The proposed SCUP will be in conformance with the future land use plan, as amended as part of the proposed zone change from GC to PUD.
Character of the surrounding and adjacent areas.	The proposed SCUP will enhance this section of Fairmont Pkwy. Additionally, the developer has gone to great lengths to ensure they have a site that will have as little visual impact on the adjacent city 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 site is an ideal location for a development of this nature. Access to the site is good and utilities are sufficient. The proposed project will require variances within the SCUP to allow for increased density, increased building height, and a decrease in the required distance between multi-family developments. These items will be addressed in the SCUP document as conditions of approval.

Planning and Zoning Commission Regular Meeting

August 15, 2019

SCUP 19-9100006

The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	Fairmont Pkwy. has enough built in capacity to handle the additional traffic from the proposed development. The additional access point along Underwood will provide added relief from cars existing and entering off of Fairmont Pkwy. Staff recommends a traffic impact analysis be conducted prior to any site plan approvals.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	The proposed SCUP will not create any additional excessive air pollution or other negative environmental issues.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed SCUP furthers the city's desire to create a more diversified stock of housing options for citizens in all phases of their life.

RECOMENDATION

Based on the above analysis, staff recommends the Planning and Zoning Commission consider the proposed the proposed SCUP to allow for a multi-family apartment complex in the PUD zoning district with the conditions as shown in the SCUP document (Exhibit D).

ATTACHMENTS

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

AERIAL MAP

**SCUP
#19-91000006**

**NW Corner of
Canada & Fairmont**

Legend

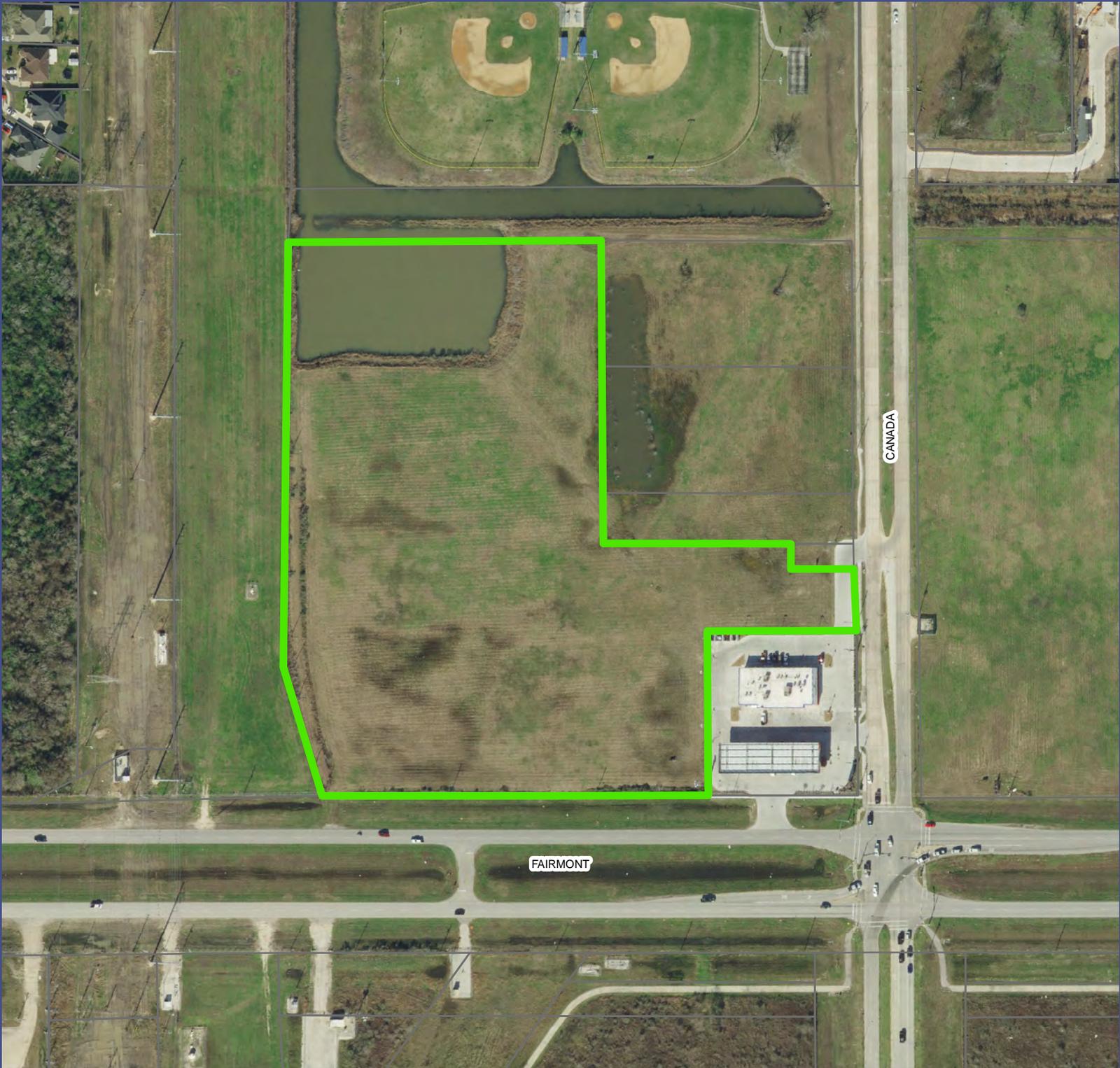
 Subject Parcel



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

1 inch = 214 feet

**AUGUST 2019
PLANNING DEPARTMENT**



ZONING MAP

SCUP
#19-91000006

NW Corner of
Canada & Fairmont

Legend

 Subject Parcel



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

1 inch = 214 feet

AUGUST 2019
PLANNING DEPARTMENT

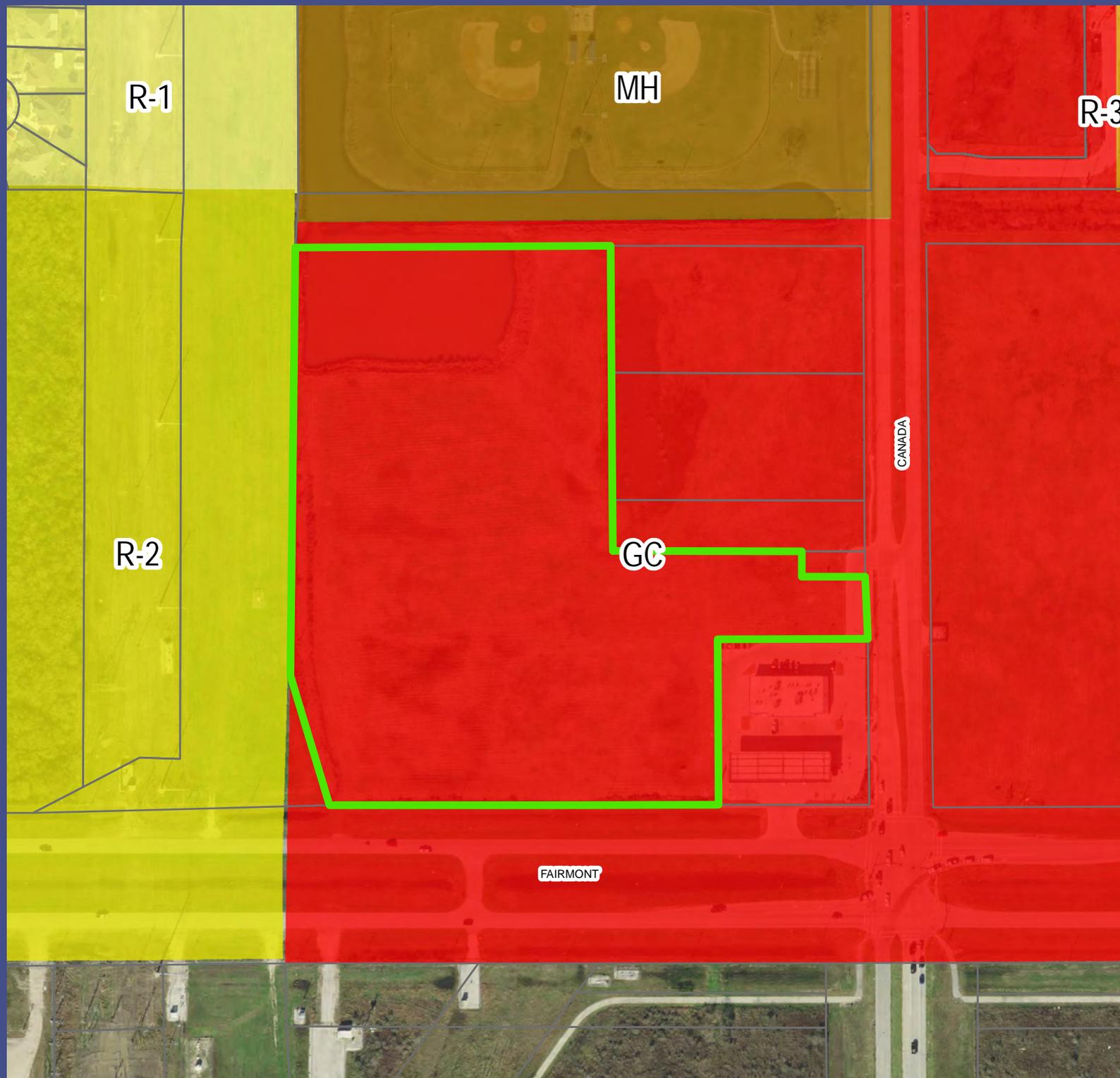


EXHIBIT C

LAND USE MAP

**SCUP
#19-91000006**

**NW Corner of
Canada & Fairmont**

Legend

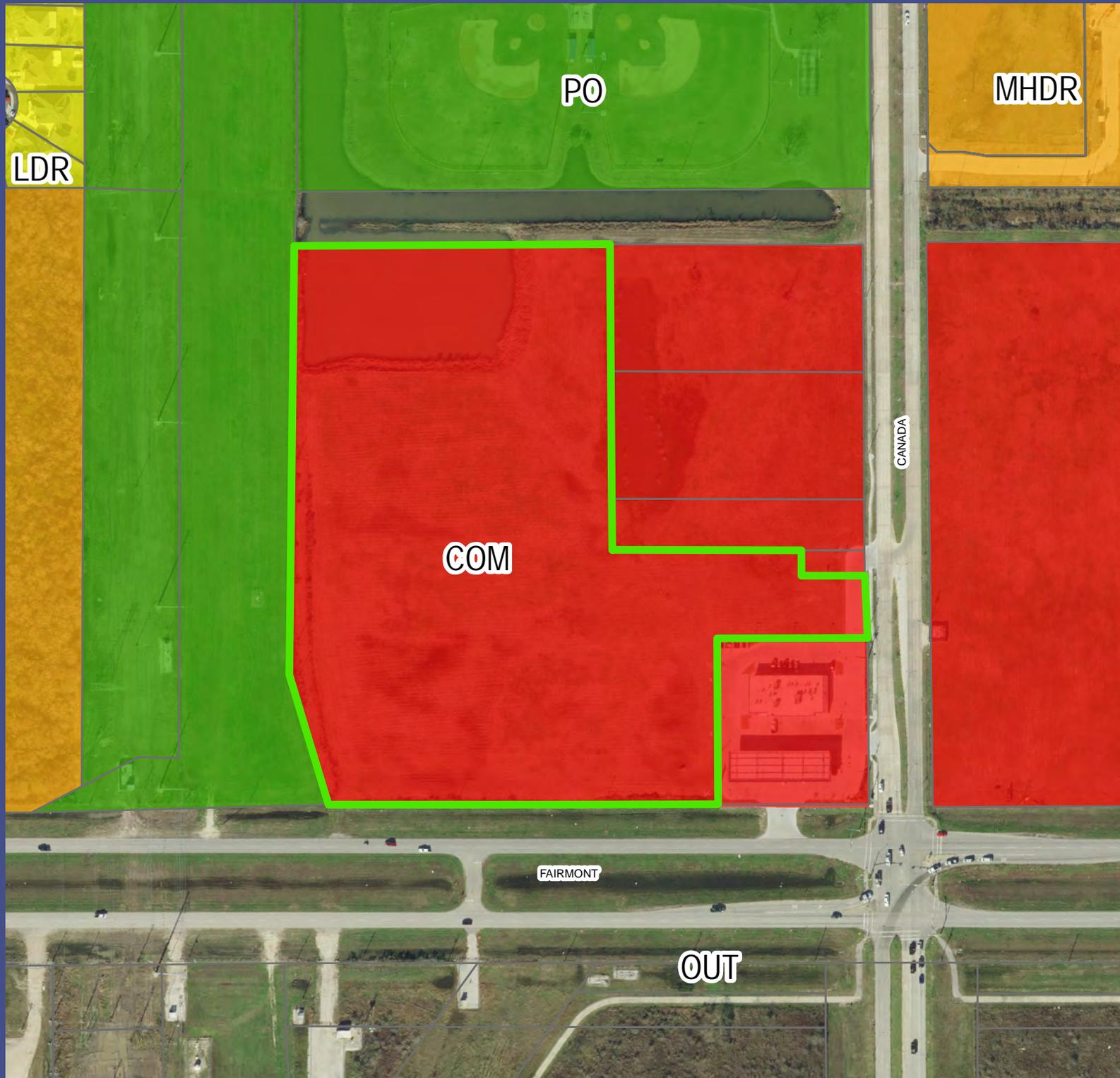
 Subject Parcel



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1 inch = 214 feet

**AUGUST 2019
PLANNING DEPARTMENT**



City of La Porte
Special Conditional Use Permit #19-91000006

This permit is issued to: Doak Brown
Owner or Agent

N/A
Address

For Development of: Brownstone Apartments – Hawthorne at La Porte
Development Name

NW corner of Fairmont and Canada
Address

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

Zoning: PUD, Planned Unit Development

Use: Multi-family

Permit Conditions:

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

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Permitted use on site will be described as Multi-family.
3. The underlying zoning will be R-3. All Multi-family development requirements will need to be met.
4. Permitted density will not exceed 24 units/acre. This is in contrast to section 106-33 (a) of the City of La Porte Zoning Ordinance.
5. Total number of dwelling units may not exceed 300 units on site.
6. Maximum building height for any on site structure may not exceed 60 feet.
7. The 1000 foot minimum distance requirement between separate multi-family developments shall be applied as measured from building to building not property line to property line.
8. A Traffic Impact Analysis will be performed and submitted to the city for review prior to approval of the required site plan.
9. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process.
10. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, “Zoning” of the City’s Code of Ordinances.

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

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

Validation Date: _____

Director of Planning and Development

City Secretary



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: Vacant 12.608 acre parcel located at NW corner of Fairmont Pkwy and Canada

Legal description where SCUP is being requested: TRS 710A and 711, La Porte Outlots

HCAD Parcel Number where SCUP is being requested: 0231460000710

Zoning District: General Commercial Lot area: 12.608 acres

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

Description of Request: Approval of a zone change to PUD and approval of the proposed conceptual site plan

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

PROPERTY OWNER(S) INFORMATION

Name: Jack Howard, Floyd Howard and Larry Allen

Company (if applicable): Attn: Nolan Allen

Address: 4212 Red Bluff Rd.

City: Pasadena State: Texas Zip: 77503

Phone: 281-703-2618 Email: nolanallen@comcast.net

AUTHORIZED AGENT (if other than owner)

Name: Brownstone Ventures, LLC

Company (if applicable): Attn: Doak Brown

Address: 6517 Mapleridge

City: Houston State: Texas Zip: 77081

Phone: 713-705-3507 Email: doak@thebrownstonegroup.net

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: _____ Date: _____

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

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

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

Agent's Signature: *Doak Brown*

Date: 7/10/19

Owner(s)' Signature(s): *Jack Howard, Floyd Howard, Larry Allen*

Date: 7-10-19

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING

PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS
COUNTY OF HARRIS
CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

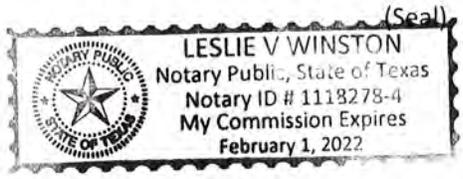
1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:
ADDRESS: Vacant 12.608 acre parcel located at NW corner of Fairmont Pkwy and Canada
LEGAL DESCRIPTION: TRS 710 A and 711, La Porte Outlots
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: _____.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

[Signature]
Applicant's Signature
Doak Brown
Applicant's Printed Name

Subscribed and sworn before me this 11th day of July, 2019, by
Doak Brown (Print Applicant's Name).

[Signature]
Notary Public

My commission expires: 2/1/22





*Hawthorne
at
Fairmont*



www.thebrownstonegroup.net

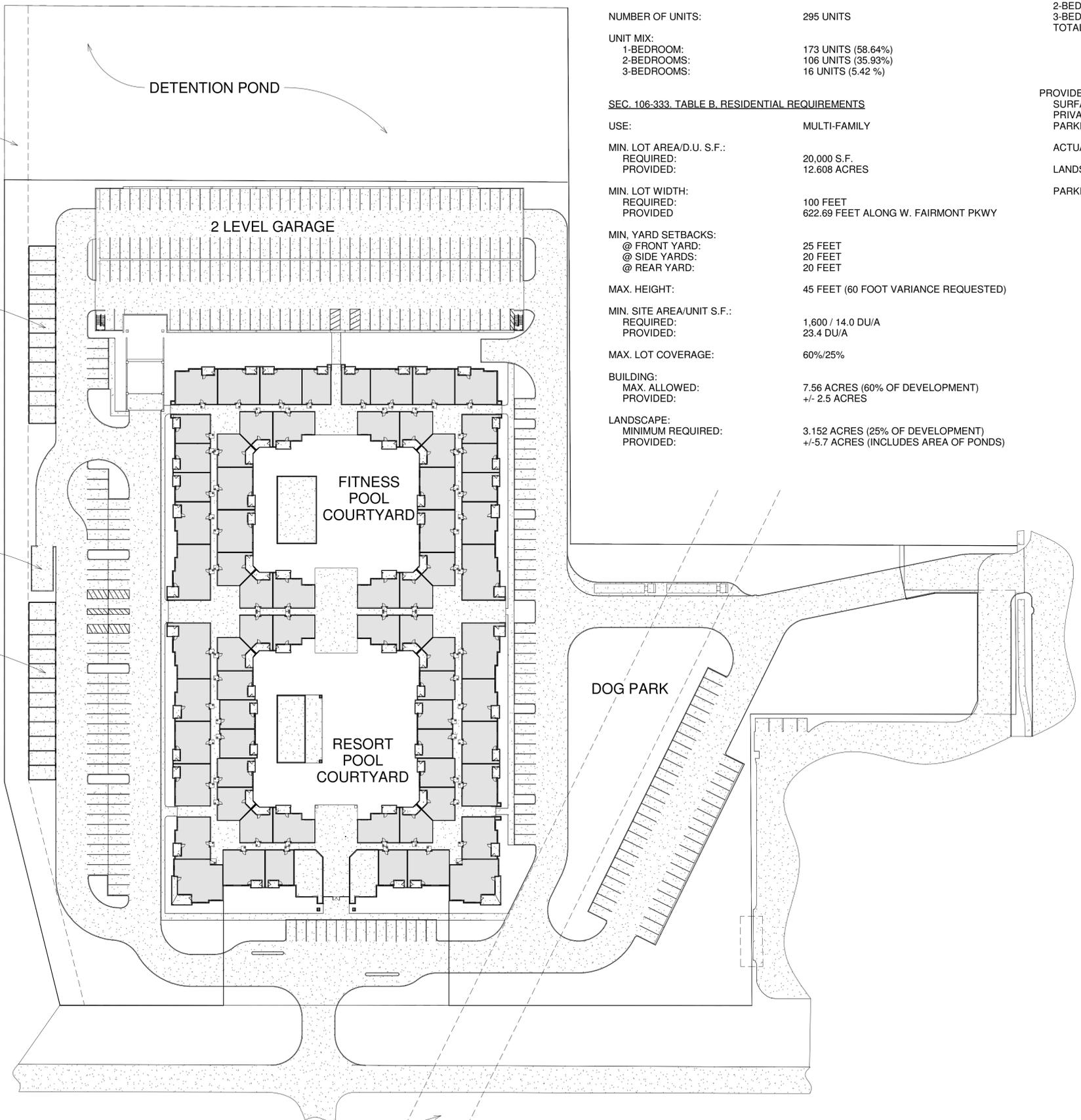
Proposed Development Site :

*Northwest Corner of Intersection
at Fairmont Parkway and Canada
Road*



01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16

A
B
C
D
E
F
G
H
J
K
L
M



DEVELOPMENT SIZE:

GROSS SIZE: 12.608 ACRES

NUMBER OF UNITS: 295 UNITS

UNIT MIX:
 1-BEDROOM: 173 UNITS (58.64%)
 2-BEDROOMS: 106 UNITS (35.93%)
 3-BEDROOMS: 16 UNITS (5.42%)

SEC. 106-333. TABLE B. RESIDENTIAL REQUIREMENTS

USE: MULTI-FAMILY

MIN. LOT AREA/D.U. S.F.:
 REQUIRED: 20,000 S.F.
 PROVIDED: 12,608 ACRES

MIN. LOT WIDTH:
 REQUIRED: 100 FEET
 PROVIDED: 622.69 FEET ALONG W. FAIRMONT PKWY

MIN. YARD SETBACKS:
 @ FRONT YARD: 25 FEET
 @ SIDE YARDS: 20 FEET
 @ REAR YARD: 20 FEET

MAX. HEIGHT: 45 FEET (60 FOOT VARIANCE REQUESTED)

MIN. SITE AREA/UNIT S.F.:
 REQUIRED: 1,600 / 14.0 DU/A
 PROVIDED: 23.4 DU/A

MAX. LOT COVERAGE: 60%/25%

BUILDING:
 MAX. ALLOWED: 7.56 ACRES (60% OF DEVELOPMENT)
 PROVIDED: +/- 2.5 ACRES

LANDSCAPE:
 MINIMUM REQUIRED: 3.152 ACRES (25% OF DEVELOPMENT)
 PROVIDED: +/-5.7 ACRES (INCLUDES AREA OF PONDS)

PARKING:

REQUIREMENT:
 1-BED UNIT: 260 SPACES (173 UNITS * 1.5 SPACES)
 2-BED UNIT: 212 SPACES (106 UNITS * 2.0 SPACES)
 3-BED UNIT: 40 SPACES (16 UNITS * 2.5 SPACES)
 TOTAL SPACES: 512 SPACES*
 * ZONING ALLOWS 8% OF REQUIRED SPACES TO BE DEVELOPED AS LANDSCAPE ISLANDS (UP TO 40 SPACES MAY BE SUBSTITUTED)

PROVIDED:
 SURFACE PARKING: 170 SPACES
 PRIVATE GARAGES: 24 SPACES
 PARKING GARAGE: 311 SPACES

ACTUAL PARKING: 505 SPACES

LANDSCAPE ISLANDS: 10 SPACES EQUIVALENCY

PARKING W/ LANDSCAPE: 515 SPACES

EXHIBIT F



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BROWNSTONE
 ARCHITECTS AND PLANNERS, INC.
 WILLIAM L. BROWN, ARCHITECT
 6517 MAPLERIDGE
 HOUSTON, TEXAS 77081
 713.432.7727

PROGRESS PRINT

NOT FOR REGULATORY APPROVAL,
 PERMITTING, OR CONSTRUCTION.

REGISTRANT'S NAME: WILLIAM L. BROWN
 TEXAS REGISTRATION NUMBER: 4086

07/11/2019

These documents may not be reproduced in any form without the written consent of Brownstone Architects and Planners, Inc.

This sheet is only one component of the total document package which consists of all sheets of drawings and the project manual.

LA PORTE FAIRMONT
A 195 UNIT FAMILY LIVING COMMUNITY
W. FAIRMONT PKWY & CANADA ST

No.	Description	Date

Project Number

Date Issue Date

SHEET ARCHITECTURAL SITE PLAN

SHEET

A1-1

Scale 1" = 50'-0"

7/11/2019 7:32:12 PM

1 ARCHITECTURAL SITE PLAN
 1" = 50'-0"

01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16

LA PORTE - FAIRMONT SITE UNIT MATRIX						
	UNIT TYPE	QUANTITY	NET AREA		GROSS AREA	
A	1-BED / 1-BATH	72	772 sf	55,584 sf	851 sf	61,272 sf
B	1-BED / 1-BATH	64	797 sf	51,008 sf	892 sf	57,088 sf
C	1-BED / 1-BATH + DEN	32	936 sf	29,952 sf	1,024 sf	32,768 sf
D	1-BED / 1-BATH	5	873 sf	4,365 sf	954 sf	4,770 sf
E	2-BED / 2-BATH	32	1,110 sf	35,520 sf	1,187 sf	37,984 sf
F	2-BED / 2-BATH	60	1,157 sf	69,420 sf	1,236 sf	74,160 sf
G	2-BED / 2-BATH	6	1,211 sf	7,266 sf	1,290 sf	7,740 sf
H	2-BED / 2-BATH	8	1,388 sf	11,104 sf	1,606 sf	12,848 sf
J	3-BED / 2-BATH	16	1,571 sf	25,136 sf	1,649 sf	26,384 sf
	LEASING	1	1,100 sf	1,100 sf	1,100 sf	1,100 sf
	CYBER CAFÉ	1	1,100 sf	1,100 sf	1,100 sf	1,100 sf
	CLUBHOUSE	1	1,500 sf	1,500 sf	1,500 sf	1,500 sf
	EXERCISE	1	2,500 sf	2,500 sf	2,500 sf	2,500 sf
	MAINTENANCE	1	1,400 sf	1,400 sf	1,400 sf	1,400 sf
	DETACHED GARAGE	24				7,632 sf
	TOTAL			296,955 sf		330,246 sf









DEVELOPMENT SUMMARY

Hawthorne at Fairmont will be a Class A residential apartment community that provides 294 new luxury units to the City of La Porte. While offering a wide range of residential options – including one, two, and three bedroom floor plans, the interior features and exterior amenities will remain top-notch and exceed similar existing Class A apartment communities in the surrounding cities.

Hawthorne at Fairmont has been designed in an urban architectural style, to accommodate the increasing multi-family market demand in La Porte. Situated on 12.608 acres of land located at the northwest intersection of Fairmont Parkway and Canada, Hawthorne at Fairmont development will serve residents from the increasing petrochemical job growth and economic expansion that is impacting the nearby ship channel. Moreover, this new community will provide luxury apartment options for nearby businesses and working residents in the La Porte vicinity.

Rental rates at Hawthorne at Fairmont are projected to range from approximately \$1,225 for the smallest one-bedroom units up to \$1,995 for the three bedroom units. Residents will be responsible for paying all their utilities and will have the option to rent garages. Additionally, all residents will need to pass criminal background checks and credit checks.

At *Hawthorne at Fairmont*, the interiors will feature luxury kitchens with designer cabinets, stainless steel appliances, luxury plank style flooring, crown molding, granite countertops, full size washers and dryers, and open living areas. Other distinctive features will include pantries, large walk in closets, garden size tubs with enclosed shower areas, and spacious balconies and patios with convenient outside storage.

The exterior of *Hawthorne at Fairmont* will include a pleasurable design of stone, brick, stucco, and cementitious siding construction on the four-story building. This attractive Class-A building will provide a comfortable residential feel situated around an internal courtyards with a heavy use of pleasing landscaping and fencing around the perimeter. The clubhouse will feature a furnished community room with custom home finishes. The building will be elevator served and the development will include a fitness center, outdoor grilling areas, along with a resort style swimming pool in the interior courtyard. Additionally, Hawthorne at Fairmont will be a gated access community and have detached garages and covered parking options for most units.

Hawthorne at Fairmont complies with La Porte's zoning ordinance except that the development will need to obtain a variance for four items. First, the zoning ordinance only allows 14 units per acre. Hawthorne at Fairmont's proposed density is 23.4 units per acre. Second, the zoning ordinance limits multifamily developments to 180 units. Hawthorne at Fairmont is proposing 295 units. Third, the zoning ordinance states that buildings cannot exceed 45 feet in height. With the proposed building being a four story, elevator served building, the height of the building would be 60 feet. Fourth, the zoning ordinance prevents multifamily residential developments within 1,000 feet of each other if they are larger multifamily developments. If this distance is measured from building to building, then our proposed development would be more than 1,000 feet from the closest other multifamily development; however if this distance is measured from property line to property line, we would be within 1,000 feet of another senior multifamily development on the other side of Canada.

We believe that Hawthorne at Fairmont is worthy of a variance for density, height and spacing because La Porte needs this type of housing to be competitive with surrounding communities. There is currently no Class A apartment community like the proposed development in the City of La Porte with this being a four-story elevator served community. The City of La Porte is most likely losing residents who choose to live in surrounding communities despite working in or near the City of La Porte because of the lack of new multifamily developments. The proposed density and number of units of this development allows for nicer amenities than the 14 units per acre and 180 units limitations would allow. With regard to spacing, the other development that is potentially within 1,000 feet depending upon how the distance is measured is serving a senior population which our proposed development would not be competing with from a leasing perspective. Additionally, strict compliance with the zoning ordinance is economically infeasible these days because of the cost of construction associated with Class A multifamily developments.

Expected to exceed \$40 million dollars in development costs at approximately \$135,000 per unit, *Hawthorne at Fairmont* will benefit from the Brownstone Companies' experience and expertise in developing and constructing quality residential apartment communities. With successful existing developments in Pasadena, Pearland, and multiple other areas throughout Texas and the neighboring Gulf Coast States, the Brownstone Companies will deliver a quality product to the City of La Porte.



PROPERTY DESCRIPTION & LOCATION

Location:	The site is located at the northwest corner of the intersection of Fairmont Parkway and Canada.	
Units:	295 Total Units	
Parcel Size:	12.608 Acres	
Density:	23.4 Units per Acre	
Stories:	Four-Story wood frame construction	
Parking:	515 surface spaces (1.75 per unit)	
Unit Mix:	173 one bedroom / one bath units	(58.6%)
	106 two bedroom / two bath units	(36.0%)
	16 three bedroom / two bath units	(5.4%)
Average Unit Size:	980 square feet	

Unit Amenities

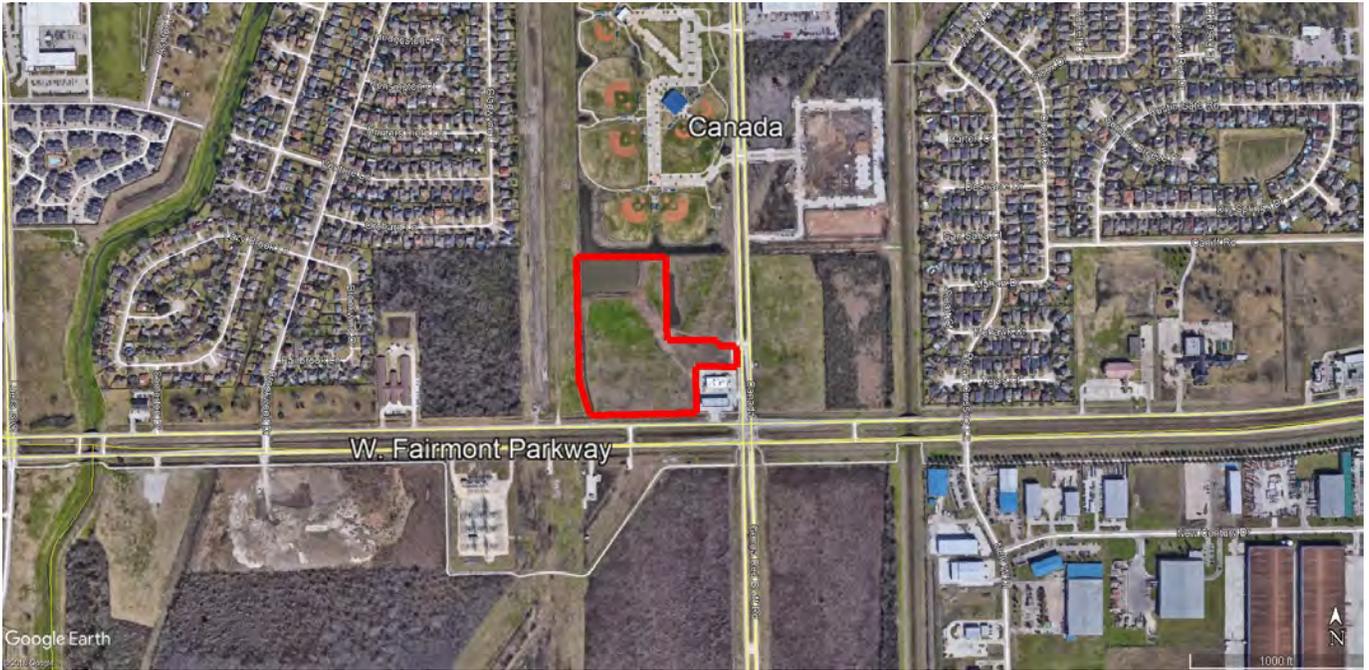
- Central Heating and Air Conditioning
- 2 Inch Wooden Mini Blinds
- Personal Balcony/Patio with Storage
- High-end Plumbing Fixtures
- Luxury Plank Style Flooring
- Designer Ceiling Fans
- Deep Kitchen Sinks
- Designer Paint and Finish
- Modern Kitchens with Large Islands
- Large Soaking Tubs (available in some units)
- Upgraded Shower Heads
- Open Concept Floor Plans
- Tile Backsplash in Kitchens
- Granite Countertops Throughout
- Built-In Microwave
- USB Charging Ports
- Energy Efficient Stainless Steel Appliances
- Walk-In Closets
- Attached and Detached Garages and Carports Available

- Two-Tone Paint
- Full Size Washer and Dryer
- Two Custom Finish Packages Available

Community Amenities:

- 24-Hour Emergency Maintenance Available
- Clubhouse with Resident Lounge
- Billiard Room
- 24 Hour Cyber Café
- Complimentary Coffee Bar
- Outdoor Lounge/Grilling Areas With Fireplace and Flat Screen TVs
- Resort Style Pool with Wifi
- Professional On-Site Management
- Pet Friendly
- Leash-Free Bark Park with Agility Equipment and Hydration Station
- Pet Washing Station
- Playground
- Resident Social Events
- Valet Waste
- Huge 24 Hour Fitness Center with State-of-the-Art Fitness Equipment
- Free Weights in Fitness Center
- Resident Package Receiving
- BBQ/Picnic Areas
- Business Center
- High Speed Internet

AERIAL MAPS



Hawthorne at Fairmont, La Porte - Texas





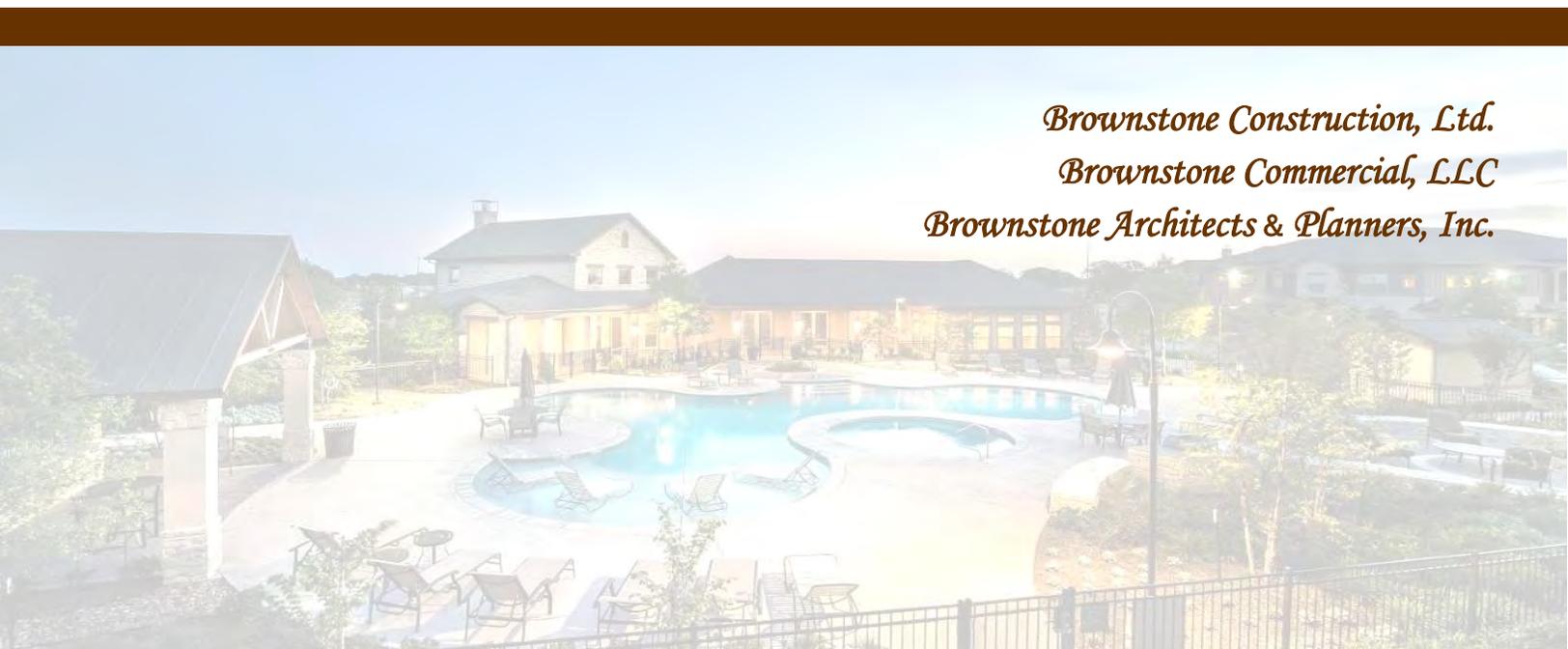
Since 2005, the Brownstone Companies have contracted for more than \$784 million dollars' worth of residential developments throughout Texas and the Southeast, consisting of 67 developments surpassing 8,600 units.



OUR COMPANIES



Sample Architecture



*Brownstone Construction, Ltd.
Brownstone Commercial, LLC
Brownstone Architects & Planners, Inc.*

RESIDENTIAL COMMUNITIES

The following is a list of developments that Brownstone has been a part of since 2005. The below list of developments are either completed, or under construction.



Completed

Name	City	Units
San Diego Creek Apts	Alice, TX	72
San Gabriel Senior Village	Georgetown, TX	100
Easterling Village	Alice, TX	48
Thomas Ninke Senior Village	Victoria, TX	80
Retama Village	McAllen, TX	128
Gulfbreeze Plaza II	Port Arthur, TX	148
Bluebonnet Senior Village	Alamo, TX	36
Retama Village Phase II	McAllen, TX	74
Sunset Terrace	Pharr, TX	100
Bluffs Landing Senior Village	Round Rock, TX	144
Gulfbreeze Plaza I	Port Arthur, TX	86
Creekside Villas	Buda, TX	144
Villas at Beaumont	McAllen, TX	36
Pearland Senior Village	Pearland, TX	126
Parkview Terrace	Pharr, TX	100
Heights at Corral	Kingsville, TX	80
Belmont Senior Village	Leander, TX	192
Citrus Gardens	Brownsville, TX	148
Casa Ricardo	Kingsville, TX	60
Merrit Lakeside	Schertz, TX	176
Shiloh Crossing	Laredo, TX	156
Braeburn Village	Houston, TX	140
Gary Street Village	Winnsboro, LA	35
Aeolian	Vicksburg, MS	60
Blooms	Tallulah, LA	30
The Reserve at Traditions	Bryan, TX	240
Merritt Legacy	Leander, TX	208
Carr Central Apartments (Village Oaks I &	Vicksburg, MS	72
Gulf Coast Arms	Houston, TX	160
Elm Street Village	Tallulah, LA	34
River Bank Village	Laredo, TX	152
Canton	Canton, TX	80
Austin Village	Bastrop, LA	30
La Esperanza del Rio	Rio Grande City, TX	60
Preston Apartments	Magnolia, AR	40
Cibolo Crossing	Laredo, TX	236
La Esperanza del Alton	Alton, TX	80

RESIDENTIAL COMMUNITIES

The following is a list of developments that Brownstone has been a part of since 2005. The below list of developments are either completed, or under construction.



Completed Cont.

Name	City	Units
Sunset Terrace Senior Village	Pharr, TX	80
Madison Oaks	Winnsboro, TX	60
Hawthorne at Traditions II	Bryan, TX	156
Hawthorne at Pasadena	Pasadena, TX	294
Henderson Village	Henderson, TX	80
Merritt Hill Country (major subcontractor	Dripping Springs, TX	80
Casa Verde	Laredo, TX	152
Legacy at Lake Charles	Lake Charles, LA	268
Taylor Senior Village	Mission, TX	112
Canton High Apartments I & II	Canton, MS	80
Liberty Village	Edinburg, TX	124
Nash Senior Village	Nash, TX	100
Whitehouse Senior Village	Whitehouse, TX	72
Ariza Apartments	College Station, TX	266
Lake Park Townhomes	Pearland, TX	247
Merritt Heritage	Georgetown, TX	244
Lumberton Senior Village	Lumberton, TX	56
Merritt Monument	Odessa, TX	104

Under Construction

Name	City	Units
Reserve at Pinewood	Port Arthur, TX	190
Legacy South	Gonzales, LA	212
Garden Valley	Waxahachie, TX	213
Somerset Lofts	Houston, TX	120
Las Palomas	McAllen, TX	122
Lancaster Senior Village	Houston, TX	144
Blanco Riverwalk	San Marcos, TX	252
Ariza Corpus Christi	Corpus Christi, TX	286
Willow Creek Manor	Alvin, TX	128
Livingston Village	Livingston, TX	80
Clift Farms	Huntsville, AL	273
Hawthorne at Bay Forest	La Porte, TX	294





Exteriors





Exteriors





Exteriors

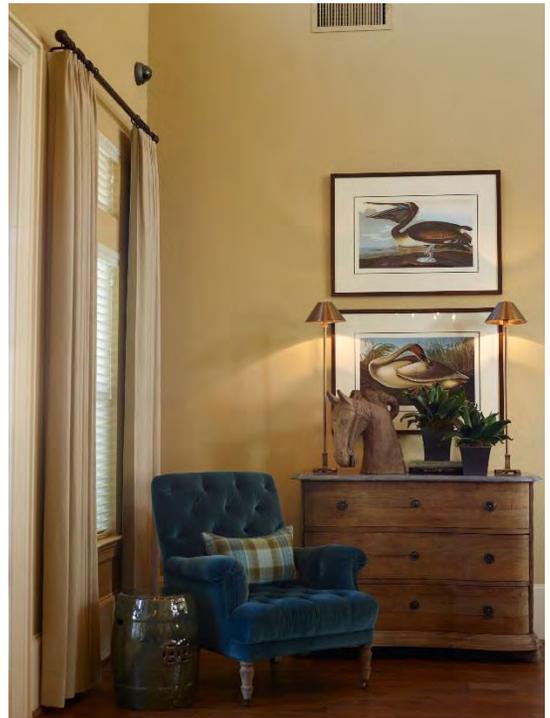




Exteriors



Sample Architecture



Interiors





Interiors





Interiors





Interiors





Interiors





Interiors



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



AUGUST 15, 2019

AGENDA ITEMS 15-17

Proposed Ordinance language for Chapter 106 regarding procedures for reconsideration of previously denied applications for property zoning classification amendments

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

Planning and Development Department Staff Report

BACKGROUND

Staff was asked to look into possible amendments to Chapter 106 that would address applicants for zone changes or Special Conditional Use Permit (SCUP) applications who had previously been denied. Staff has seen a growing number of applicants who have been denied their request but continue to reapply for the same request hoping for different results. Staff has been asked to propose language within Chapter 106 “Zoning” of the code of ordinances that could prevent this pattern from continuing.

Staff’s recommendation is to add language requiring that any applicant for either a zone change or SCUP, that has been formally denied by City Council or withdrawn after the Planning and Zoning Commission has submitted their recommendation, must wait at least 6 months before being eligible for resubmittal of the same request.

Language will be added to Section 106-171 and Section 106-219 in order to address both Zone Change and SCUP requests. Proposed language is below:

Sec. 106-171, Amendment Procedures

The city council may from time to time, on its own motion, the motion of the planning and zoning commission, or on petition, amend, supplement, change, modify or repeal the regulations, restrictions, and boundaries herein established.

- (1) *Public hearing before the city planning and zoning commission.* Before taking any action on any proposed amendment, supplement, change, or modification, the city council shall submit the same to the city planning and zoning commission which shall make a preliminary report and hold a public hearing thereon before submitting its final report to the city council.
- (2) *Notice of public hearing before city planning and zoning commission.*
 - a. Written notice of all public hearings before the city planning and zoning commission on proposed changes in classification shall be sent to owners of real property lying within 200 feet of the property on which the change in classification is proposed as well as the La Porte Independent School District, such notice to be given not less than ten days before the date set for hearing, to all owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. At least 15 days’ notice of the time and place of such hearing shall be published once in a newspaper of general circulation in the city.

- b. Requirements for public notice by sign posting:
 1. Public notice for procedures requiring public notice by sign posting shall be provided by the city at least 15 days before the public hearing.
 2. The applicant shall place public notice sign on the property within 20 feet of the abutting street.
 3. The sign shall be clearly visible, readable, and not to create hazard to traffic on the public right-of-way abutting the property.
 4. Public notice sign shall include the date, time, place, and purpose of public hearing.
 5. The applicant must return the sign to the city within ten days after the appeal period for the public hearing has ended.
 6. The erection of this sign shall not require a permit from the city.
- (3) *Publication of notice.* In the event a public hearing shall be held by the city planning and zoning commission in regard to a change of this chapter not involving particular property but involving a change in the chapter generally, notice of such hearing shall be given by publication once in a newspaper of general circulation in the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (4) *Submission of findings and recommendations to city council.* The city planning and zoning commission shall forward its final report consisting of written findings of fact and recommendations to city council within 30 days of the close of the public hearing held in accordance with this section.
- (5) *Public hearing before city council.*
 - a. Upon receipt of the written recommendations from the planning and zoning commission, a public hearing shall be held by the city council before adopting any proposed amendment, supplement, change, modification or repeal of the regulations, restrictions, and boundaries herein established.
 - b. Notice of such hearing shall be given by publication once in a newspaper of general circulation on the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (6) *Council actions.* The city council shall act upon such motion or petition within 30 days from the date the final report of the city planning and zoning commission was submitted to the city council.
- (7) *Protests.*
 - a. In case of a protest against any such amendment, supplement, change, or repeal of the regulations, restrictions, and boundaries herein established, a written protest filed with the enforcement officer and signed by the owners of 20 percent or more of either:
 1. The area of lots or land covered by the proposed change; or
 2. The area of lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Such amendment, supplement, change, modification, or repeal shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

3. Streets and alleys shall be included when computing the area of land from which a protest may be filed.
- (8) *Vote to overrule.* The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied.
- (9) *Reconsideration.* An application for an amendment to the zoning classification of property that is denied by the city council, or which is withdrawn by an applicant after the planning and zoning commission makes a report recommending denial of such amendment, may not be resubmitted by the applicant for filing with the city within six (6) months of the date of filing of the first application.”

Sec. 106-219, Reconsideration

An application for an amendment to the zoning classification of property that is denied by the city council, or which is withdrawn by an applicant after the planning and zoning commission makes a report recommending denial of such amendment, may not be resubmitted by the applicant for filing with the city within six (6) months of the date of filing of the first application.”

REQUESTED ACTION

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING REGULATIONS RELATED TO RESUBMISSION OF APPLICATIONS FOR CHANGES TO ZONING CLASSIFICATION OF PROPERTY; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1: That Chapter 106, “Zoning,” Article II. “Administration”, Division 5 “Amendments”, Section 106-171 “Amendment Procedures”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended to add new subparagraph “9” and shall hereinafter read as follows:

“Sec. 106-171. –Amendment procedures.

The city council may from time to time, on its own motion, the motion of the planning and zoning commission, or on petition, amend, supplement, change, modify or repeal the regulations, restrictions, and boundaries herein established.

- (1) *Public hearing before the city planning and zoning commission.* Before taking any action on any proposed amendment, supplement, change, or modification, the city council shall submit the same to the city planning and zoning commission which shall make a preliminary report and hold a public hearing thereon before submitting its final report to the city council.
- (2) *Notice of public hearing before city planning and zoning commission.*
 - a. Written notice of all public hearings before the city planning and zoning commission on proposed changes in classification shall be sent to owners of real property lying within 200 feet of the property on which the change in classification is proposed as well as the La Porte Independent School District, such notice to be given not less than ten days before the date set for hearing, to all owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. At least 15 days’ notice of the time and place of such hearing shall be published once in a newspaper of general circulation in the city.
 - b. Requirements for public notice by sign posting:
 1. Public notice for procedures requiring public notice by sign posting shall be provided by the city at least 15 days before the public hearing.

2. The applicant shall place public notice sign on the property within 20 feet of the abutting street.
 3. The sign shall be clearly visible, readable, and not to create hazard to traffic on the public right-of-way abutting the property.
 4. Public notice sign shall include the date, time, place, and purpose of public hearing.
 5. The applicant must return the sign to the city within ten days after the appeal period for the public hearing has ended.
 6. The erection of this sign shall not require a permit from the city.
- (3) *Publication of notice.* In the event a public hearing shall be held by the city planning and zoning commission in regard to a change of this chapter not involving particular property but involving a change in the chapter generally, notice of such hearing shall be given by publication once in a newspaper of general circulation in the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (4) *Submission of findings and recommendations to city council.* The city planning and zoning commission shall forward its final report consisting of written findings of fact and recommendations to city council within 30 days of the close of the public hearing held in accordance with this section.
- (5) *Public hearing before city council.*
- a. Upon receipt of the written recommendations from the planning and zoning commission, a public hearing shall be held by the city council before adopting any proposed amendment, supplement, change, modification or repeal of the regulations, restrictions, and boundaries herein established.
 - b. Notice of such hearing shall be given by publication once in a newspaper of general circulation on the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the day of such publication.
- (6) *Council actions.* The city council shall act upon such motion or petition within 30 days from the date the final report of the city planning and zoning commission was submitted to the city council.
- (7) *Protests.*
- a. In case of a protest against any such amendment, supplement, change, or repeal of the regulations, restrictions, and boundaries herein established, a written protest filed with the enforcement officer and signed by the owners of 20 percent or more of either:
 1. The area of lots or land covered by the proposed change; or
 2. The area of lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Such amendment, supplement, change, modification, or repeal shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

3. Streets and alleys shall be included when computing the area of land from which a protest may be filed.
- (8) *Vote to overrule.* The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied.
- (9) *Reconsideration.* An application for an amendment to the zoning classification of property that is denied by the city council, or which is withdrawn by an applicant after the planning and zoning commission makes a report recommending denial of such amendment, may not be resubmitted by the applicant for filing with the city within six (6) months of the date of filing of the first application.”

Section 2: That Chapter 106, “Zoning,” Article II. “Administration”, Division 7 “Conditional Use Permits” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by adding new Section 106- 219 “Reconsideration”, and which section shall hereinafter read as follows:

“Sec. 106-219. – Reconsideration

An application for a special conditional use permit that is denied by the city council, or which is withdrawn by an applicant after the planning and zoning commission makes a report recommending denial of the special conditional use permit, may not be resubmitted by the applicant for filing with the city within six (6) months of the date of filing of the first application.”

Section 3. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 4. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at

a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark Askins, City Attorney

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



August 15, 2019

AGENDA ITEM 18-19

DISCUSSION ITEMS/ADMINISTRATIVE REPORTS

- a. Selection of Chapter 106 "Zoning" Subcommittee
- b. Update on City Council Action

Ian Clowes, City Planner

Planning and Development Department

City of La Porte, Texas

Application #	Request	Location	P&Z Meeting	P&Z Action	CC Meeting	CC Action
FLUP 19-92000002	Com-LI	S. 16th & M	06.20.19	APPROVE 4-3	08.26.19	
ZC 19-92000002	GC-PUD	S. 16th & M	06.20.19	APPROVE 4-3	08.26.19	
SCUP 19-91000002	Warehouse	S. 16th & M	06.20.19	APPROVE 4-3	08.26.19	
SCUP 19-91000004	Port of Hou	Barbours Cut	06.20.19	APPROVE 7-0	07.22.19	APPROVE 7-1
SCUP 19-91000005	Morgans Sr. Liv	Bay Area Blvd.	06.20.19	APPROVE 7-0	07.22.19	APPROVE 8-0