

**Planning and Zoning Commission
Minutes of December 19, 2019**

Commissioners Present: Chairman Hal Lawler, Nick Barrera, Donna O'Conner, Christina Tschappat, Richard Warren, Jo Ann Pitzer, Mark Follis, Trey Kendrick, Lou Ann Martin

Commissioners Absent: None

City Staff Present: Assistant City Attorney Clark Askins, City Manager Corby Alexander, Assistant City Manager Jason Weeks, Planning & Development Director Teresa Evans, City Planner Ian Clowes, Planning Technician Chase Stewart

1. CALL TO ORDER:

Chairman Lawler called the meeting to order at 6:02 p.m.

2. ROLL CALL OF MEMBERS:

All Commissioners were present at the meeting

3. Public Comment Part 1 (6:00 pm):

- **Chuck Rosa, 812 S Virginia St.** – Voiced personal opinions of the Planning and Zoning Commission.

4. Public Comment Part 2 (6:12 pm) (by request of the public, a second public comment section was opened after the approval of the four (4) final plats)

- **Diane Thompson, 2303 Eagle Lane** – Spoke about a Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda. More specifically, the property owner and the troubles her neighborhood has experienced with that owner.
- **Wyatt Smith, 10905 Spruce Dr.** – Asked questions about the General Plan process and how it relates to a Special Conditional Use Permit (SCUP). The Commission advised the speaker to meet with staff outside of the meeting for specific information
- **John Jones, 814 Hackberry St.** – Has questions about a Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda, specifically detention work adjacent to the property. Will contact staff directly, outside of the meeting for more information.
- **Robert Moore, 507 Fairway Dr.** – Expressed concerns about the Special Conditional Use Permit (SCUP) #19-91000008 that was pulled from the agenda, specifically any potential flooding effects of a new development.

5. Consider Approval of Meeting Minutes:

- a) November 21, 2019 Minutes

Motion by Commissioner Kendrick to approve the proposed meeting minutes with the condition that a minor correction to one of the motions be corrected.

Second by Commissioner Warren

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to approve passes, 9-0

6. Final Plat (6:12 pm):

- a) Consider approval of a Final Plat for the Morgan’s Landing Section 6, a single family residential development consisting of 39 lots on 7.78 acres located off of Bay Area Blvd.
- b) Consider approval of a Final Plat for the Morgan’s Landing Section 7, a single family residential development consisting of 70 lots on 16.44 acres located off of Bay Area Blvd.
- c) Consider approval of a Final Plat for the Morgan’s Landing Section 8, a single family residential development consisting of 55 lots on 16.94 acres located off of Bay Area Blvd
- d) Consider approval of a Final Plat for Bay Landing Circle; a street dedication located within the Morgan’s Landing Subdivision.

Motion by Commissioner Barrera to approve the four Morgan’s Landing Final Plats in a single motion.

Second by Commissioner Follis

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to approve passes, 9-0

7. Zone Change #19-92000007 (6:29 pm): Open a public hearing on a request for approval of Zone Change Request #19-92000007 by Pablo Abel Garza, applicant and owner; for approval of a zone change from General Commercial (GC) to Low Density Residential (R-1), on a 0.23 acre tract of land located at 11813 Fieldcrest Dr., and legally described as Lots 32 and 33, Block 2, Pinegrove Valley Subdivision, Harris County, La Porte, TX

- a. **Staff Presentation:** Ian Clowes, City Planner, presented the Zone Change request #19-92000007.
- b. **Applicant Presentation:** N/A
- c. **Public Comment:** Jaqueline Yates, 11717 N L St. – Staff received a comment response sheet from the citizen in favor of the zone change.

- d. **Question and Answer:** Commissioner Follis was in favor of the zone change and suggested that the nature of the surrounding properties could benefit from a similar zone change. Expressed support of a potential comprehensive plan update to address this.

Motion by Commissioner Tschappat to approve zone change request #19-92000007

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

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None **Motion to approve passes, 9-0**

8. **Future Land Use Map Amendment (6:36 pm):** 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 0.23 acre tract of land located at 11813 Fieldcrest Dr., and legally described as Lots 32 and 33, Block 2, Pinegrove Valley Subdivision, from “Commercial” to ‘Low Density Residential’.

Motion by Commissioner Kendrick to approve the Future Land Use Map Amendment (Commercial to Low Density Residential)

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

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None **Motion to approve passes, 9-0**

9. **Zone Change #19-92000008 (6:40 pm):** Open a public hearing on a request for approval of Zone Change Request #19-92000008 by Monica Rogers, applicant; on behalf of MLMR Properties, LLC, owner; for approval of a zone change from Low Density Residential (R-1) to Neighborhood Commercial (NC), on a 0.39 acre tract of land legally described as a portion of Restricted Reserve “A”, Block 1, Willmont Commercial Park Subdivision Amending Plat, Harris County, La Porte, TX.

a) **Staff Presentation:** Ian Clowes, City Planner, presented the zone change request #19-92000008.

b) **Applicant Presentation: Monica Rogers, 10105 W Fairmont Pkwy –** Provided context to the proposed development. Currently owns the property, but is in the process of selling the portion in question to a developer to construct a drive-thru convenience store.

c) **Public Comments:** N/A

d) **Question and Answer:** Commissioner Tschappat asked what the proposed development for the property would be if the zone change was approved.

Motion to deny passes, 6-2

- 11. Future Land Use Amendment (7:26 pm):** 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 3.38 acre tract of land located at 11007 Fairmont Pkwy., and legally described as Tract 1H, Abstract 625 R, Pearsall Survey, from “Mid-High Density Residential” to “Business Industrial”.

Motion by Commissioner Follis to approve the Future Land Use Map Amendment (“Mid-High Density Residential” to “Business Industrial”)

Second by Commissioner Kendrick

Motion to approve carried

Ayes: Commissioners Barrera, O’Conner, Tschappat, Warren, Follis, Kendrick, Martin

Nays: Chairman Lawler

Abstain: Commissioner Pitzer

Motion to approve passes, 7-1

- 12. Zone Change #19-92000010 (7:28):** Open a public hearing on a request for approval of Zone Change Request #19-92000010 by Ryan Sweezy, applicant; on behalf of Texas Cargoways, LLC, owner; for approval of a zone change from Mid Density Residential (R-2) to Planned Unit Development (PUD), on a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1, Dawson Subdivision, Harris County, La Porte, TX.

a) Staff Presentation: Ian Clowes, City Planner, presented the zone change request #19-92000010. Since Special Conditional Use Permit (SCUP) #19-91000009 is being requested in correlation to this Planned Unit Development (PUD) zone change request, Ian Clowes, City Planner, also outlined the SCUP requirements proposed by City staff.

b) Applicant Presentation: Ryan Sweezy, 2302 E Lawther St. – Answered questions about the proposed development subject to approval of the Planned Unit Development (PUD) zone change and the subsequent approval of a Special Conditional Use Permit (SCUP).

c) Public Comments:

Ray Roberson, 9018 Carlow Ln - Staff received a comment response sheet from the citizen in support of the Zone Change request.

Victor Peres, 2401 Andrews Ct – Spoke in favor of approval.

d) Question and Answer: Commissioner Pitzer has questions about the quality of the project based off of pictures from an existing operation in Pasadena. Commissioner Tschappat asked about the construction of an office and what it would be made out of. Commissioner Barrera had questions about room for maneuverability of larger items being stored to get in and out of the site.

Motion by Commissioner Follis to approve the zone change request #19-92000010
Second by Commissioner Kendrick **Motion to approve carried**

Ayes: Commissioners Barrera, Follis, Kendrick,

Nays: Commissioners Pitzer, Tschappat, Warren and Chairman Lawler

Abstain: Commissioners Martin and O’Conner

Motion to approve fails, 3-4

- 13. Future Land Use Amendment (8:03 pm):** Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Map component of the La Porte Comprehensive Plan by amending the land use designation for a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1 Dawson Subdivision, from “Mid-High Density Residential” to “Commercial”.

Motion by Commissioner Warren to deny the Future Land Use Map Amendment (“Mid-High Density Residential” to “Commercial”)

Second by Commissioner Pitzer **Motion to deny carried**

Ayes: Commissioners O’Conner, Tschappat, Warren, Pitzer, and Chairman Lawler

Nays: Commissioners Follis, Kendrick, and Barrera

Abstain: Commissioner Martin

Motion to deny passes, 5-3

- 14. SCUP REQUEST #19-91000009 (8:11):** Open a public hearing on a request for approval of Special Conditional Use Permit (SCUP) #19-91000009 by Ryan Sweezy, applicant; on behalf of Texas Cargoways, LLC, owner; to allow for a boat and recreational vehicle (RV) storage facility, to locate on a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1, Dawson Subdivision, Harris County, La Porte, TX.

a) Staff Presentation: Ian Clowes, City Planner, presented the Special Conditional Use Permit (SCUP) request #19-91000009 requirements during the staff presentation portion for zone change #19-92000010.

b) Applicant Presentation: Ryan Sweezy 2302 E Lawther St. – Answered questions about the proposed development.

c) Public Comments:

Ray Roberson, 9018 Carlow Ln - Staff received a comment response sheet from the citizen in support of the Special Conditional Use Permit (SCUP) request.

Chuck Rosa, 812 S Virginia St. – Voiced opposition to the way the Commission voted for the Special Conditional Use Permit (SCUP) related items (zone change and future land use map amendment).

d) Question and Answer: N/A

Motion by Commissioner Follis to approve the Special Conditional Use Permit request #19-91000009 with all of staffs conditions and 3 additional (Hours of Operation expansion from 6am to 10pm, 30' screening buffer from Canada Rd., and minimum 60' driveway length to avoid queuing in public Right-of-Way)

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

Ayes: Commissioners Tschappat, Follis, Kendrick, Barrera, and Chairman Lawler

Nays: Commissioners Pitzer and Warren

Abstain: Commissioners Martin and O'Conner

Motion to approve with conditions passes, 5-2

15. SCUP Request #19-19000008:

- The Special Conditional Use Permit (SCUP) request #19-91000008 was pulled from the meeting agenda before the start of the meeting at the discretion of the applicant.

16. Future Land Use Map Amendment:

- The Future Land Use Map amendment request was pulled from the meeting agenda before the start of the meeting at the discretion of the applicant.

17. Discussion (8:21 pm)

- a) City Planner, Ian Clowes, informed the Commission on the status of the proposed Chapter 106 updates. The proposed updates are scheduled for a vote at the January Planning and Zoning Commission agenda. All recommended Chapter 106 updates will be forwarded to the City Council for consideration.

18. Adjourn (8:30 pm):

Motion by Commissioner Warren to adjourn the meeting.

Second by Commissioner Kendrick **Motion to adjourn carried**

Ayes: Commissioners Barrera, O'Conner, Tschappat, Warren, Pitzer, Follis, Kendrick, Martin and Chairman Lawler

Nays: None

Motion to adjourn passes, 9-0

Respectfully submitted,

Chase Stewart
Planning Technician

Passed and Approved on _____, 2020.

Hal Lawler
Chairman, Planning and Zoning Commission

Trey Kendrick
Secretary, Planning and Zoning Commission