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Commissioner At Large A
JOE MOCK
Commissioner At Large B
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RICHARD WARREN
Commissioner District 2
Vice Chairman



SEAN MCCABE
Commissioner District 3
MARK FOLLIS
Commissioner District 4
DEWEY WALLS
Commissioner District 5
NANCY OJEDA
Commissioner District 6

MINUTES OF THE REGULAR MEETING OF THE LA PORTE PLANNING AND ZONING COMMISSION MAY 15, 2025

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, May 15, 2025, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Commissioners present: Commissioners Wayne Landin; Richard Warren; Sean McCabe; Steve Gillett; Mark Follis; Joe Mock; and Dewey Walls.

Commissioners absent: Chairman Victor Peres; and Commissioner Nancy Ojeda.

City Staff present: Ryan Hvitlök, Director of Planning and Development; Johnna Matthews, Planning Manager; Yvonne Briscoe, Planner II; Lindsey Obregon, Planning Technician; Matt Daeumer, Assistant City Manager; Clark Askins, City Attorney (Remotely); and Maria Peña, Department Coordinator.

1. **CALL TO ORDER** – Vice Chairman Richard Warren called the meeting to order at 6:00 p.m.
2. **ROLL CALL OF MEMBERS** – Chairman Victor Peres; and Commissioner Nancy Ojeda were absent.
3. **CITIZEN COMMENT:** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*

Dave Francis at 2304 Vanessa Cay Lane stated that at the time he purchased the property in 2020, the area on the east side of Bay Area Boulevard was said to be zoned Retail. He stated that after Beazer and Taylor Morrison completed building all the homes, they exited the property, at the same time Avera started working with Council and Zoning Commission to amend the zoning restrictions for a better chance at selling the property. Mr. Francis shared concern regarding notifications sent out to 63 landowners within 300ft for the January meeting unsure if it was for Reserve 1 or the entire property; only 9% of the people that live in Morgan's Landing were notified, excluding him because his property is not within 300ft. The change got passed and is unsure of what will be done. Additionally, Mr. Francis inquired about the request at Reserve 1 having 18-wheeler traffic on Bay Area Blvd. and Reserve 2 having traffic onto Spencer Hwy.

Ryan Hvitlok, Director of Planning and Development explained that typically the board does not respond to citizen comments during this item. Yvonne Briscoe, Planner II provided Mr. Francis with her business card to answer questions.

Dave Francis inquired if staff would send out 63 notices for the SCUP if the zone change gets approved even though the SCUP might affect more than 63 properties.

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

Approve the minutes of the April 17, 2025, regular meeting of the La Porte Planning and Zoning Commission.

Commissioner Steve Gillett motioned to approve the minutes. Commissioner Dewey Walls seconded the motion. The motion passed 7-0.

5. **PUBLIC HEARINGS AND ASSOCIATED ITEMS**

5.a **Special Conditional Use Permit SCUP-2025-0017**

The Commission will hold a Public Hearing to receive input on Special Conditional Use Permit SCUP-2025-0017, a request by Chris Couch, applicant, on behalf of Odia Fairmont LLC, owners, for an amendment to SCUP-2024-0011 which was adopted by City Council as Ordinance 2025-4047 on February 10, 2025, to:

- add NAICS 4238 – Machinery, Equipment, and Supplies Merchant Wholesalers as a permitted use within Reserve 2,
- clarify which regulations are applicable to development for each reserve,
- add Offices only for any use code to the permitted uses within Reserves 1 and 2,
- add condition numbers to the NAICS, where applicable,
- add the NAICS Title to proposed uses, and
- update footnote 15 condition (as adopted by Ordinance 2025-4054)

in the Planned Unit Development (PUD) zoning district, on a 130.56-acre tract of land, located at 11921 W Fairmont Pkwy., and legally described as Tracts 2A 3 4 4A & Tract 23D Bayport U/R Section 1 Abstract 625 R Pearsall, Harris County, Texas. [Yvonne Briscoe, Planner II]

The Public Hearing was opened at 6:07 p.m.

Yvonne Briscoe, Planner II presented the request of the proposed Special Conditional Use Permit SCUP-2025-0017. Yvonne Briscoe, Planner II stated the current zoning is Planned Unite Development (PUD) which causes the need for a SCUP and the future land use designation per Comprehensive Plan is Business Industrial and Light Industrial. Yvonne Briscoe, Planner II provided information on the proposed amendments to the SCUP.

Commissioner Mark Follis inquired about the uses for Reserve 3.

Yvonne Briscoe, Planner II stated those all fall under the General Commercial zoning district and there is a very limited subset of uses that are permitted in Reserve 3. There are no use changes to Reserve 3 as part of this amendment.

Commissioner Mark Follis inquired if exits for Reserve 1 and Reserve 2 will be off Bay Area Blvd.

Yvonne Briscoe, Planner II explained the only reserve that has adjacency to the truck route is Reserve 1 onto W. Fairmont Pkwy. The use proposed will determine if they will be able to have access on Bay Area Blvd.

Commissioner Mark Follis stated the traffic studies could say otherwise.

Yvonne Briscoe, Planner II stated staff will ask for additional studies depending on what is proposed when the site plan is submitted for review.

Commissioner Mark Follis inquired if a traffic study is required in the SCUP.

Yvonne Briscoe, Planner II stated it was not in this SCUP.

Chris Couch, a representative of Avera the developer sponsoring this project stated the PZ Commission has already approved the NAICS Code that staff is adding. There was an inverted omission of 4328 between the PZ Commission meeting and City Council. This is consistent with the Atlas Compco. Mr. Couch stated they have always told anyone who has asked that they cannot have trucks on Bay Area Blvd. as they understand the city will write tickets.

Commissioner Joe Mock asked for clarification of what Reserve 2 could visually look like.

Chris Couch stated that staff will need to provide use code information, but it is his understanding that all storage will need to be screened from view, doc doors need to be away from Spencer Hwy. and is unsure if a user would be allowed under the code to have an equipment dealer there. Mr. Couch mentioned that they are currently under contract to sell the property, fronts on Spencer Hwy, to a group that fits in with the 4238 NAICS Code. They are an industrial supplier that does hosing and couplings.

Commissioner Joe Mock inquired the access for trucks from Fairmont to Reserve 2.

Chris Couch stated their assumption has been anyone using Reserve 2 would access that property from Spencer Hwy only and anyone accessing Reserve 1 would access it from Fairmont Pkwy only, and Reserve 3 will be accessed from Bay Area Blvd. and would be passenger traffic.

Commissioner Joe Mock asked for clarification to access Reserve 2 from Fairmont for anyone with equipment.

Chris Couch stated his understanding that a truck going to a business in Reserve 2 can go down Spencer and enter directly from Spencer but has to use the same way to exit.

Matt Daeumer, Assistant City Manager, stated the City of La Porte has two different truck routes. Chapter 106 includes the high frequency truck route for five NAICS Codes that state those types of business have to be directly adjacent to the high-frequency truck route. Fairmont Pkwy. is the only property in this application adjacent to the high-frequency truck route. Chapter 70 is the regular truck route which Reserve 2 is not on but the use that is being added 4238 can be in Reserve 2 and then you have the origination destination exception they have to take the most direct route to get to that location which would be from 16th and Spencer Hwy.

Commissioner Joe Mock inquired if there were a lot of trucks on 16th Street.

Matt Daeumer, Assistant City Manager, stated 16th St. is on the high-frequency truck route. Per the SCUP they are limited a certain number of trucks per day. This particular model will only get a couple of trucks per week, and they will assemble hoses and pick up in small flatbeds.

Commissioner Wayne Landin inquired if that is a single user for Reserve 2.

Chris Couch explained it is a single user for the front Spencer Hwy. Mr. Couch stated there is another group interested in Reserve 2 and they would have multiple users (up to five or six) depending on what they do.

Commissioner Wayne Landin inquired if they would have access to 16th Street.

Chris Couch stated they would have access to Spencer Hwy.

Commissioner Mark Follis stated those trucks will most likely come from 146.

Matt Daeumer stated they will come from 146 west bound on Spencer Hwy and enter the property at 25th St. as the access and to turn around they would have to go east bound on Spencer Highway to get back to 16th Street to get back to the truck route.

Trina Rodriguez resident of Morgan's Landing, stated that she understands the legal requirement of sending notifications within 300ft, however she does not live within 300ft and asked the Committee to inform the entire subdivision. The notice of public hearing sign was not very visible.

Commissioner Joe Mock expressed concerns with equipment coming in and out during the construction phase.

Chris Couch stated there are permit conditions that affect the entrance to a construction area. The size of the buildings will take just a few months to construct and the impact would be lower. Staff can add permit conditions to ensure the construction impact is mitigated.

Matt Daeumer, Assistant City Manager, mentioned the appearance of Reserve 1 and Reserve 2 will be similar to the new complex on Sens Rd.

Commissioner Mark Follis inquired if we have design standards established within the SCUP.

Matt Daeumer, Assistant City Manager, stated we do.

Commissioner Mark Follis stated we went through extended length to protect the residential property.

Matt Daeumer City Manager stated Reserve 3 has more stringent design standards designs than Reserve 1 and Reserve 2.

Commissioner Mark Follis stated that because of this purchaser they were able to develop Morgan's Landing.

Commissioner Steve Gillett inquired about the underlying zoning district and the future land use plan designation.

Yvonne Briscoe, Planner II, provided information regarding the land use regulations, and future land use plan.

Ryan Hvitlok, Director of Planning stated that the SCUP will dictate what is allowed. Any proposed changes need to go through the process.

Commissioner Steve Gillett inquired about the proposed NAICS code in the Business Industrial and light Industrial zoning districts.

Yvonne Briscoe, Planner II explained the NAICS code is permitted with the more restrictive requirements.

The Public Hearing was adjourned at 6:35 p.m.

Commissioner Mark Follis motioned to approve the proposed Special Conditional Use Permit SCUP-2025-0017. Commissioner Sean McCabe seconded the motion. The motion passed 7-0.

6. ADMINISTRATIVE REPORTS

Ryan Hvitlæk, Director of Planning and Development stated that SCUP-2025-0017 will be going to Council June 23rd.

Ryan Hvitlæk, Director of Planning and Development shared updates on Council Actions for the month of April.

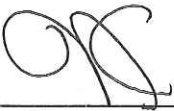
7. COMMISSIONER COMMENT

Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilpersons, and City staff, for which no formal action will be discussed.

Commissioner Steve Gillett inquired about upcoming meetings.

Ryan Hvitlok Director of Planning and Development shared items for the upcoming meetings.

8. ADJOURN: Without objection, the meeting was adjourned at 6:40 p.m.



Victor Peres, Planning and Zoning Commission Chairman



Nancy Ojeda, Planning and Zoning Commission Secretary

