

VICTOR PERES
Chairman
STEVE GILLETT
Commissioner At Large A
JOE MOCK
Commissioner At Large B
WAYNE LANDIN
Commissioner District 1
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
January 16, 2025**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, January 16, 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: Commissioner Wayne Landin; Richard Warren; Sean McCabe; Joe Mock; Mark Follis; Dewey Walls; Steve Gillett; and Nancy Ojeda were present.

Commissioners late: Chairman Victor Peres was late.

City Staff present: Clark Askins, City Attorney; Johnna Matthews, Planning Manager; Yvonne Briscoe, Planner II; Lindsey Obregon, Planning Technician; Matt Daeumer, Asst. City Manager; Thomas Galindo, Deputy Fire Marshal; Haley Bowers, Economic Development Manager; and Maria Pena, Dept. Coordinator.

1. **CALL TO ORDER:** Commissioner Richard Warren called the meeting to order at 6:04 p.m.
2. **ROLL CALL OF MEMBERS:** Chairman Victor Peres was late.
3. **CITIZEN COMMENT:** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*

No Comment

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

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

Approve the amended minutes of the November 4, 2024, special meeting of the La Porte Planning and Zoning Commission.

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

Approve the amended minutes of the November 21, 2024, regular meeting of the La Porte Planning and Zoning Commission.

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

Approve the minutes of the December 19, 2024, regular meeting of the La Porte Planning and Zoning Commission.

Chairman Victor Peres arrived at 6:06 p.m.

Commissioner Wayne Landin made the motion to approve the minutes with the amendment to the December 19, 2024, meeting minutes to include a list of the approved 2025 monthly meetings of the Planning and Zoning Commission; the motion was seconded by Commissioner Richard Warren; the motion passed 8-0. Commissioner Steve Gillett abstained.

5. PUBLIC HEARINGS AND ASSOCIATED ITEMS

5. a SPECIAL CONDITIONAL USE PERMIT SCUP-2024-0010

The Commission will hold a Public Hearing to receive input on Special Conditional Use Permit SCUP-2024-0010, a request by Jennifer Dresen, applicant, on behalf of Scoggins Holdings La Porte LLC, owners, for approval of a SCUP to allow Chemical Manufacturing (NAICS Code 325) within the General Commercial (GC) zoning district, on a 1.14-acre tract of land located at 903 SH 146, and legally described as Lots 11 thru 16 & Tracts 5A thru 10A 17A thru 25A & 33A Block 166 La Porte, Harris County, Texas.

The Public Hearing was opened at 6:09 p.m.

Johnna Matthews, Planning Manager, presented and explained the proposed request for Special Conditional Use Permit SCUP-2024-0010. Staff received one returned notice in opposition to the request.

Wally Scoggins, representative for Scoggins Holding, provided information regarding the proposed use for Special Conditional Use Permit SCUP-2024-0010. He explained the product and the process of operations.

Commissioner Dewey Walls had questions regarding wastewater.

McClain Hess, representative and chemist for Scoggins Holding, discussed the procedures and precautions taken during the wastewater process, and explained how the wastewater will be reused and not stored in containers. Mr. Hess also responded to concerns raised about water runoff due to its close proximity to surrounding communities, neighborhoods, and the existing drainage channel.

Commissioner Steve Gillett addressed staff and wanted clarification if the use is allowed in commercial and whether staff was recommending approval of the Special Conditional Use Permit SCUP-2024-0010.

Johnna Matthews, Planning Manager, explained that the proposed use is not allowed in any zoning district in the City of La Porte by right. The code does allow for the Planning and Zoning Commission to make a recommendation to City Council and City Council to approve a Special Conditional Use Permit for the proposed use. Staff does not make a recommendation but addresses the criteria and presents to the Planning and Zoning Commission who will review and make a recommendation to City Council.

Commissioner Wayne Landin asked staff to provide information on the property to the immediate south.

Matt Daeumer, Assistant City Manager, mentioned that the City of La Porte is working with a developer for three dining establishments.

Chairman Victor Peres asked the applicant to clarify the chemical chart that was provided with the SCUP application and to explain how chemicals will be stored and contained.

Wally Scoggins and McClain Hess stated that a plan will be developed with the Fire Marshal. Some of the products will be stored in tanks outside the building. The applicant provided information on the process of the chemicals.

Thomas Galindo, Deputy Fire Marshal, expressed concerns about the proposed use at the proposed location. The general classification of the business and IFC 2018 shows that this occupancy is classified as High-Hazard. One of the issues would be the location because of the close proximity to a hotel, the main thoroughfare, and the runoff in case of a fire. The proposed business may be better suited in a more industrial setting in contrast to the proposed location of the establishment.

Courtney Flores, 322 Clifton Crane, shared her concern with the location of the proposed use and spoke in opposition to SCUP2024-0010. She expressed concerns regarding the possible exposure and harm that can affect the neighboring community, homes, and youth as a result of the proposed use.

The Public Hearing was adjourned at 6:42 p.m.

Commissioner Nancy Ojeda made a motion to recommend denial of SCUP-2024-0010; the motion was seconded by Commissioner Sean McCabe; the motion carried to deny 9-0.

5. b ZONE CHANGE ZC-2024-0005

The Commission will hold a Public Hearing to receive input on Zone Change ZC-2024-0005, a request by Chris Couch, applicant, on behalf of Odia Fairmont LLC, owners, for approval of a Zone Change from Business Industrial (BI) zoning district to Planned Unit Development (PUD) zoning district, on approx. 15.42-acres out of 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]

Public Hearing was opened at 6:44 p.m.

Yvonne Briscoe, Planner II, presented the Zone Change request ZC-2024-0005 and explained that the next item on the agenda is SCUP 2024-0011 which if the zone change is approved, will cover the entire 130 acres.

Matt Daeumer, Assistant City Manager, provided information on the reason for the SCUP request and mentioned that the idea was to get the SCUP in place much like Port Crossing and for the district in Underwood Rd. so that a business can open by right.

Commissioner Mark Follis asked staff to explain why the request for a zone change from Business Industrial to a PUD and then allow for Business Industrial uses.

Yvonne Briscoe, Planner II, explained that the SCUP-2024-0015 will have control over the subject property and PUD conditions would apply to the entire site.

Matt Daeumer, Assistant City Manager, answered questions regarding restrictions and spoke regarding the reason why the change was recommended.

The applicant was present to answer questions; however, did not give a presentation.

Stephanie Allen, 204 Coleman Wake Lane, had a question regarding the uses that can be developed under PUD and if the property could be developed for residential.

Matt Daeumer, Assistant City Manager, explained that there are deed restrictions on the property and the 130 acres cannot be residential and cannot be used for overnight stays.

Britney Baranda, 4015 Barrios Bay, asked staff to provide information regarding drainage and traffic.

Chairman Victor Peres clarified that these concerns can be addressed during the SCUP-2024-0015 presentation.

Courtney Flores, 322 Clifton Crane, spoke regarding traffic concerns on Bay Area Blvd.

Matt Daeumer, Assistant City Manager, explained that Bay Area Blvd. is not on a High-Frequency Truck Route but there are exceptions such as origination/ destination on Spencer Hwy.

The Public Hearing was adjourned at 7:12 p.m.

Commissioner Nancy Ojeda made a motion to recommend approval of Zone Change ZC-2024-0005; the motion was seconded by Commissioner Wayne Landin; the motion passed 9-0.

5. c SPECIAL CONDITIONAL USE PERMIT SCUP-2024-0011

The Commission will hold a Public Hearing to receive input on Special Conditional Use Permit SCUP-2024-0011, a request by Chris Couch, applicant, on behalf of Odia Fairmont LLC, owners, for approval of a Special Conditional Use Permit in the Planned Unit Development (PUD) zoning district, on a 130.56-acre tract of land, to allow for 1) various commercial and industrial uses as permitted with conditions and permitted with approval of a SCUP in the Planned Unit Development (PUD) zoning district, on approx. 58.42-acres out of the 130.56-acre tract of land located at 11921 W Fairmont Pkwy. (along Spencer Hwy. and W. Fairmont Pkwy.); and 2) for various Commercial NAICS code uses as permitted to provide goods and services to neighboring residents, on approx. 72-acres out of the 130.56-acre tract of land (along Bay Area Blvd.), 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]

Public Hearing was opened at 7:16 p.m.

Yvonne Briscoe, Planner II, presented the proposed layout and explained the proposed SCUP conditions on Special Conditional Use Permit SCUP-2024-0011. Staff received one letter in opposition stating concerns about crime, traffic, smog, increase in taxes, and blocked views.

The applicant was present to answer questions; however, did not give a presentation.

Commissioner Mark Follis asked staff for information on how the City of La Porte enforces the design standards when it does not meet the Texas House bill.

Clark Askins, City Attorney, explained that many of the terms and conditions of the SCUP have been negotiated by staff and the developer as far as what can be agreed upon and presented ultimately to the City Council without violating state law.

Yvonne Briscoe, Planner II, mentioned that staff worked closely with the applicant and the applicant submitted half of these conditions as part of the application.

Stephanie Allen, 204 Coleman Wake Lane, shared concerns regarding traffic and crime. She is in opposition to the SCUP-2024-0011 request.

Terry Phibbs had questions and concerns about uses proposed in Reserve 1 that will not be permitted in Reserve 2 and asked for additional information regarding valve manufacturing.

Matt Daeumer, Assistant City Manager, mentioned that the NAICS Code for industrial valve manufacturing is proposed as a conditional use and would have to come back to the Planning and Zoning Commission for consideration.

The Public Hearing was adjourned at 7:24 p.m.

Commissioner Mark Follis asked staff to provide information on allowed uses for Reserve 1 and Reserve 2.

Matt Daeumer, Assistant City Manager, and Yvonne Briscoe, Planner II, explained the allowed uses and the excluded uses 332911 C, and 332912 C which are not allowed in a BI zoning district. The Uses 493, and 493190 are not allowed in BI and are being proposed in Reserve 1. These uses are proposed Reserve 2 as office only because it requires adjacency to the High Frequency Truck Route. There is no warehousing, and the use would be permitted as office only when not adjacent to the High Frequency Truck Route.

Commissioner Nancy Ojeda made a motion to recommend approval of SCUP-2024-0011; the motion was seconded by Commissioner Joe Mock; the motion passed 9-0.

5. d SPECIAL CONDITIONAL USE PERMIT SCUP-2024-0012

The Commission will hold a Public Hearing to receive input on Special Conditional Use Permit SCUP-2024-0012, a request by Khaled Zayed, applicant, on behalf of Kroger Co,

owners, for approval of a Special Conditional Use Permit to allow a Tobacco and Smokers' Supply Store (NAICS Code 453991) within the General Commercial (GC) zoning district, on a 2.11-acre tract of land, located at 1300 W. Fairmont Pkwy., and legally described as Lot 2 & Tract 1A Kroger-Fairmont Parkway Center, Harris County, Texas. [Yvonne Briscoe, Planner II]

Commissioner Wayne Landin filed an Affidavit Providing Notice of Potential Conflict of Interest and recused himself from discussion of and consideration of agenda item 5.d Special Conditional Use Permit SCUP-2024-0012.

The Public Hearing was opened at 7:36 p.m.

Yvonne Briscoe, Planner II, presented Special Conditional Use SCUP-2024-0012. Two notices were received in favor of the SCUP.

Laith Khattab, representative for the applicant, 11626 Seagle Point Lane, Richmond, TX, stated the applicant is the owner and operator of several tobacco and hemp shops across Texas and mentioned that he would like to request that SCUP-2024-0012 be corrected to include e-cigarette, vape, tobacco, and cigar stores.

Yvonne Briscoe, Planner II, explained that e-cigarette and vape are not allowed with or without a SCUP in the GC zoning district. Tobacco and CBD Products may be allowed with approval of a Special Conditional Use Permit.

Matt Daeumer, Assistant City Manager, stated that staff did not receive accurate information on the application, and this would need to be brought back before the Commission after changes are made.

The Public Hearing was adjourned at 7:45 p.m.

Commissioner Nancy Ojeda made a motion to table Special Conditional Use Permit SCUP-2024-0012; the motion was seconded by Commissioner Sean McCabe; the motion to table carried 8-0. Commissioner Wayne Landin abstained.

5. e CHAPTER 106 "ZONING" AMENDMENTS

The Commission will hold a Public Hearing to receive input on proposed modifications to Chapter 106 "Zoning" of the City of La Porte's Code of Ordinances by adding minimum house width requirements for single-family dwellings. [Johnna Matthews, Planning Manager]

The Public Hearing was opened at 7:46 p.m.

Johnna Matthews, Planning Manager, introduced the Commission-initiated request for a proposed Chapter 106 "Zoning" Amendment to add a minimum house width standard of 26 feet for Single-family detached, Single-family large lot, Single-family special lot line, and Single-family zero lot line uses.

Commissioner Mark Follis provided information pertaining to the history of previous minimum lot width developments. He expressed a desired outcome to halt further projects

from taking place. In particular, Commissioner Mark Follis voiced his concern about the overall future impact such continuation of these developments would have on the city.

Chairman Victor Peres inquired regarding the requirement for garages for a single-family home.

Johnna Matthews, Planning Manager, stated that the Ordinance does not require a garage to be built at any particular time, it only states that there has to be room for a garage.

Matt Daeumer, Assistant City Manager, stated there is no definition in the code for a two-car garage.

Commissioner Mark Follis asked Clark Askins, City Attorney, for clarification in relation to minimum lot width and nonconforming lots of record.

Clark Askins, City Attorney, stated that his interpretation of the Ordinance is that development can take place on a twenty-five-foot-wide lot but remains subject to the setback requirements. Regarding nonconforming lots of record that were created before regulations were in place, development can take place, but other regulations can still pertain to the property.

Matt Daeumer, Assistant City Manager, stated that the interpretation of the code is clear. Discussion and protocols to follow the code are taken daily in addition to discussing such topics on a day-to-day basis with staff.

No Public Comment.

The Public Hearing was adjourned at 8:15 p.m.

Commissioner Mark Follis made a motion to recommend approval of the proposed amendments to Sec.106.333 Table B requiring a minimum house width of 26 feet; the motion was seconded by Commissioner Sean McCabe; the motion passed 9-0.

6. ADMINISTRATIVE REPORTS

a. Council Action

Johnna Matthews, Planning Manager, provided an update on the January 13, 2025, City Council meeting.

b. Next Meeting

- Next Regular Meeting - February 20, 2025

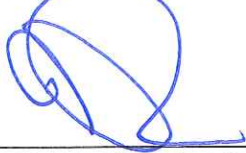
Johnna Matthews, Planning Manager, mentioned that items are being prepared for the next regular meeting.

7. COMMISSIONER COMMENT

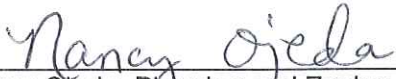
Hear announcements concerning matters appearing on the agenda; items of the community interest; and/or inquiries of staff regarding specific factual information or existing policy from the mayor, Councilperson, and City staff, for which no formal action will be discussed.

No Comment

8. ADJOURN: Without objection, the meeting adjourned at 8:20 p.m.



Victor Peres, Planning and Zoning Commission Chairman



Nancy Ojeda, Planning and Zoning Commission Secretary