

**VICTOR PERES**  
Chairman  
**STEVE GILLET**  
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  
February 20, 2025**

The Planning and Zoning Commission of the City of La Porte met in a regular meeting on Thursday, February 20, 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:** Chairman Victor Peres; Commissioner Wayne Landin; Richard Warren; Sean McCabe; Mark Follis; Dewey Walls; Steve Gillett; Joe Mock; and Nancy Ojeda were present.

**City Staff present:** Clark Askins, City Attorney; Ryan Hvitlok, Planning and Development Director; Yvonne Briscoe, Planner II; Lindsey Obregon, Planning Technician; Matt Daeumer, Asst. City Manager; and Maria Pena, Dept. Coordinator.

1. **CALL TO ORDER:** Chairman Victor Peres called the meeting to order at 6:05 p.m.
2. **ROLL CALL OF MEMBERS:** All members were present for this meeting.
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:** Approve the minutes of the January 16, 2025, regular meeting of the La Porte Planning and Zoning Commission.

Commissioner Nancy Ojeda made a motion to approve the minutes; the motion was seconded by Commissioner Sean McCabe; the motion passed 9-0.

**5. PUBLIC HEARINGS AND ASSOCIATED ITEMS**

**5. a Future Land Use Plan Amendment FLUP-2025-0006**

The Commission will hold a Public Hearing to receive input on Future Land Use Plan Amendment FLUP-2025-0006, a request by the City of La Porte, applicant, for approval of a City-initiated amendment to the Future Land Use Plan from General Commercial to Low-Density Residential on approximately 4.067 acres of land generally located between W. A St. to the north, W. B. St. to the south and between S 13th St to the west and S. 11 St. to the east and legally described as Lots 1 thru 32 Block 756 La Porte, Lots 1 thru 12 Block 25 La Porte, Lots 21-32 Block 25 La Porte, and Tract A part of Abandoned Alley La Porte, Harris County, Texas.

The public hearing was opened at 6:07 p.m.

Yvonne Briscoe, Planner II, presented the Future Land Use Plan Amendment FLUP-2025-0006 and informed the Commission of changes to the original description from "approximately 4.067 acres of land" to "approximately 1.66 acres of land". Staff received one returned notice in opposition to the request and since then staff has removed the properties of that owner from this City-initiated request.

Commissioner Joe Mock requested staffs reasoning to move forward with the City-initiated request.

Yvonne Briscoe, Planner II, responded that when a property owner submitted a request in the area staff was advised by the Planning and Zoning Commission and City Council to look at a greater area for rezoning.

Commissioner Mark Follis inquired concerning the returned notice that was received in opposition related to the properties that were removed from the original City-initiated request.

Yvonne Briscoe, Planner II, responded and demonstrated to the Commission the subject areas that are properties of the owner in opposition.

Commissioner Mark Follis expressed concerns over certain parcels that appear to be developed without permits. Commissioner Mark Follis stated that this City-initiated request is beneficial as it would bring the current structures into conformity.

Commissioner Wayne Landin inquired if the property to the west side of W. F St. had any improvements in place.

Yvonne Briscoe, Planner II, responded that property is currently vacant.

Commissioner Mark Follis expressed concern that the property to the west side of W. F St. would require utilities, road access, and further improvements in order for it to be developed.



Commissioner Wayne Landin inquired if the property should be included in this request if it has no established streets or utilities.

Chairman Victor Peres explained that the original City-initiated request has changed due to one majority landowner being in opposition. The Chairman stated that the overall intention is rezoning the properties for owners that are not in opposition.

Commissioner Steve Gillett expressed concerns this request would create spot zoning.

Yvonne Briscoe, Planner II, responded this would not be spot zoning because the larger area is being considered.

Clark Askins, City Attorney, stated the original proposal included the properties to the east and west of W. F St. to be part of the rezone to residential. However, there was opposition from one of the property owners and the request was amended. There could be concern of spot zoning for the property remaining to the west. If this proposal moved forward, the comprehensive plan would also be changed to be consistent with the rezone. If the property to the west were to be passed by Council, there would be some risk because it would be an isolated tract surrounded by commercial. In contrast, there are no concerns for the block to the east. The existing use for most of the block to the east is residential. By rezoning to residential, it would bring the properties into conformity based on the existing use.

Commissioner Steve Gillett disagreed concerning the spot zoning.

Clark Askins, City Attorney, reiterated that by leaving the northwest corner of the block to the east general commercial the status quo is maintained. By changing the remaining to Low Density Residential (R-1), the existing uses which are single-family dwellings, would be conforming and adhere to the zoning ordinance. In addition, change would be made to the Future Land Use Plan (FLUP) for the comprehensive plan to consist with the zoning. There is no concern of spot zoning for the block to the east.

Matt Daeumer, Assistant City Manager, explained this is not a staff driven request. This request was driven by the Planning and Zoning Commission and City Council. Properties from the area have previously been brought before the Commission, and the Planning and Zoning Commission and City Council advised staff to work on rezoning the surrounding area. Based on that direction, the City-initiated zone change is being presented.

Chairman Victor Peres inquired if the lot to the west is problematic, and if it is advised to consider it separately or be excluded from the request.

Clark Askins, City Attorney, explained the posting for the public hearing included the 4.067 acres and as long as the change is for less area and not more, it would meet legal requirements.

Commissioner Mark Follis expressed concern regarding spot zoning. Commissioner Mark Follis recollects that there was some recent case law due to the Mid Density Residential to the south and that it was adjacent to the Low Density Residential.

Clark Askins, City Attorney, explained that almost every tract on the east block is already residential and it is a key consideration. Meanwhile the south is surrounded by residential uses which is the character of the area.

Commissioner Steve Gillett stated the area adjacent to W. F St. and W. A St., based off the aerial looks to be unkept and requested clarification concerning why it was removed from the request.

Chairman Victor Peres explained the properties are owned by the same majority landowner that is in opposition. The Chairman clarified the objective of the request is to encompass the properties for owners that are not in opposition to the request.

Areli Rangel 208 S 11<sup>th</sup> Lots 30, 31, and 32 Block 25 stated that she bought her property with the intent to establish a commercial business. Areli expressed concern that the zone change would affect her property.

Yvonne Briscoe, Planner II, stated that currently there are no active zoning permits for any of the properties to be licensed to operate in that area. If a business is being operated with no permit, that would result with code enforcement. If there is a proper permit in place and a business is operating legally, the effect from this zone change would result in that business to become nonconforming.

Areli Rangel explained that the business does not have a license to operate and reinstated that she bought her commercial property with the purpose to create a business. Areli stated that they had constructed a shed and encountered issues when she tried to build a fence. There are ongoing discussions with city staff.

Chairman Victor Peres recommended Areli Rangel get contact information from city staff in order for her property concerns to be addressed. The Chairman explained that the Planning and Zoning Commission only makes recommendations to City Council. Victor Peres assured her the Commission would take her concerns into account.



Tomas Antonio Guillen and Sonia Guillen Lots 21, 22, 23, and 24 Block 756. Tomas and Sonia expressed concerns that they bought that property years ago and have tried several times to come before the city to develop a home. Sonia explained she is now retired but did not lose hope that they could one day build their home.

Commissioner Mark Follis requested clarification on the property Areli Rangel owns.

Areli Rangel confirmed she owns the property at the W. A St. and S. 11<sup>th</sup> St. intersection that contains three lots.

Commissioner Mark Follis stated that if they took into consideration the majority landowner and removed his property from the request, the Commission should consider removing Areli's property since she would also like to remain under the current commercial zoning.

Commissioner Mark Follis advised the property owner to the west on possible difficulties he would encounter developing a single-family home. In particular development of his property could become cost prohibitive as all the major expenses to improve the land such as utilities, road access, and drainage would be the responsibility of the developer and would be required to meet Public Improvement Criteria Manual (PICM) standards.

Tomas Antonio Guillen expressed frustration that he cannot move forward with building a home as he continues to spend time and money on maintaining his property.

Chairman Victor Peres requested clarification if a recommendation was being made or if providing advice to the property owner.

Phillip Hoot 927 Seabreeze agreed with the previous assessment on spot zoning. Mr. Hoot explained he does not see a reason to approve this request other than to protect the existing homes that are preexisting nonconforming. However, any major repairs the homes would need could be remedied through the Zoning Board of Adjustment (ZBOA). Phillip Hoot reiterated he does not see this as an overall beneficial request and recommended for the Commission to recommend denial.

The Public Hearing was adjourned at 6:44 p.m.

Commissioner Nancy Ojeda expressed the importance of letting the landowners keep their commercial property. In addition, the other landowner should be able to build their home and will need to assess if the cost would make it cost prohibitive.

Commissioners Nancy Ojeda and Mark Follis inquired if any comment sheets were returned from the existing homeowners.

Yvonne Briscoe, Planner II, responded the homeowners are in favor of the request.

Commissioner Wayne Landin requested clarification if the property Areli Rangel owns is the property on the southwest corner of S. 11<sup>th</sup> and W. A St.

Yvonne Briscoe, Planner II, demonstrated to the Commission the subject properties owned by Mrs. Rangel and responded there are no issued zoning permits for any of the properties.

Commissioner Mark Follis made a motion to recommend approval of Future Land Use Plan Amendment FLUP-2025-0006 excluding the northeast corner 75ft lot and the lot to the west of W. F St.; the motion was seconded by Commissioner Sean McCabe; the motion passed 9-0.

**5. b Zone Change ZC-2025-0006**

The Commission will hold a Public Hearing to receive input on Zone Change ZC 2025-0006, a request by the City of La Porte, applicant, for approval of a City-initiated amendment to zone change from General Commercial to Low-Density Residential on approximately 4.067 acres of land generally located between W. A St. to the north, W. B. St. to the south and between S 13th St to the west and S. 11 St. to the east, and legally described as Lots 1 thru 32 Block 756 La Porte, Lots 1 thru 12 Block 25 La Porte, Lots 21-32 Block 25 La Porte, and Tract A part of Abandoned Alley La Porte, Harris County, Texas.

The public hearing was opened at 6:56 p.m.

Yvonne Briscoe, Planner II, presented the Zone Change ZC-2025-0006 reiterating the recommendation that was made by the Commission in the Future Land Use Plan Amendment FLUP-2025-0006. Staff received one returned notice in opposition to the request; staff removed the properties of that owner from the City-initiated request.

Sonia Guillen Lots 21, 22, 23, and 24 Block 756 requested clarification on the costly improvements that would result in the development of their property.

Chairman Victor Peres responded that to improve the property the developer would have to create a road and connect utilities as part of the requirements that would be needed. The Chairman recommended to contact city staff to discuss any concerns.

The Public Hearing was adjourned at 6:59 p.m.



Commissioner Mark Follis made a motion to recommend approval of Zone Change ZC-2025-0006 excluding the northeast corner 75ft lot and the lot to the west of W. F St.; the motion was seconded by Commissioner Sean McCabe; the motion passed 9-0.

**5. c Chapter 106 (Zoning) Amendments**

The Commission will hold a Public Hearing to receive input on an ordinance amending Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte, Texas, by establishing new requirements for the screening of vehicles at automotive repair businesses.

The public hearing was opened at 7:02 p.m.

Yvonne Briscoe, Planner II, presented the proposed Chapter 106 "Zoning" Amendment to establish new requirements for the screening of vehicles at automotive repair businesses. Staff mailed 37 notices and 17 of those notices were returned to sender by the postal service as unable to forward.

Areli Rangel 208 S 11<sup>th</sup> inquired if this amendment would affect her property.

Chairman Victor Peres responded that the 106 Amendment is for vehicle screening requirements and explained that for existing automotive repair shops, leaving vehicles outside of the establishment for more than 14 days would be prohibited and for new establishments vehicles would have to be screened.

Areli Rangel requested the reasoning behind the proposed change.

Chairman Victor Peres responded that this would prevent vehicles from continuously cluttering repair shops and create a safer environment. This recommendation is for vehicle repair shops to have vehicles outside of the establishment for no more than 14 consecutive days and for new businesses to have their vehicles screened from public view.

The Public Hearing was adjourned at 7:07 p.m.

Commissioner Nancy Ojeda requested further clarification on the returned notices.

Matt Daeumer, Assistant City Manager, responded some of those businesses have their information on file based off previous zoning permits but may no longer be operating.

Commissioner Nancy Ojeda inquired if code enforcement could still serve code violations if the notices were not able to reach those businesses.

Matt Daeumer, Assistant City Manager, commented that the amendment would make it easier for staff to enforce code violations.

Yvonne Briscoe, Planner II, added the notices mailed out were to businesses and not the property owners based off the information on file from zoning permits.

Commissioner Nancy Ojeda inquired if the city could still take action for code violations.

Yvonne Briscoe, Planner II, ensured this would still be possible.

Commissioner Dewey Walls inquired how this would affect used car lots that have repair shops.

Matt Daeumer, Assistant City Manager, responded used car dealers is a separate NAICS code and that when a zoning permit application comes in, staff verifies the NAICS code applied for.

Commissioner Mark Follis inquired if the proposed language may cause confusion.

Matt Daeumer, Assistant City Manager, responded that the example for establishments that maintain a one-day turnaround service timeframe was requested to be included by the 106 Committee.

Ryan Hvitlok, Planning and Development Director, explained that the intent for the proposed amendment is to not include establishments with a short turnaround time such as oil change facilities or tire places that do not store vehicles. In contrast, businesses that store vehicles would need require screening.

Chairman Victor Peres inquired why establishments with a one-day turnaround time are being excluded in the proposed language.

Commissioner Joe Mock responded when the 106 Committee discussed the proposed language, concerns were raised regarding new businesses such as a tire change, tire repair, or oil change establishments resulting in continuous screening along the right-of-way. The 106 Committee determined that adding the proposed language for establishments that maintain an average one-day turnaround time be exempt from the requirement.

Commissioner Nancy Ojeda made a motion to recommend approval of the proposed amendment to Chapter 106 "Zoning" of the Code of Ordinances of the City of La Porte, Texas, by establishing new requirements for the screening of vehicles at automotive repair businesses; the motion was seconded by Commissioner Sean McCabe; the motion passed 9-0.



## 6. ADMINISTRATIVE REPORTS

### a. Introduce New Staff

Matt Daeumer, Assistant City Manager, introduced Ryan Hvitlok, Planning and Development Director.

### b. Council Action

Yvonne Briscoe, Planner II, provided an update from the January 27, 2025 and February 10, 2025 City Council meetings.

### c. Next Meeting

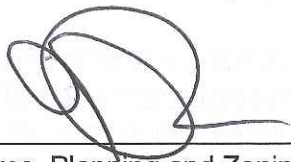
Next Regular Meeting – March 20, 2025

## 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 7:21 p.m.



Victor Peres, Planning and Zoning Commission Chairman



Nancy Ojeda, Planning and Zoning Commission Secretary