



# Special Conditional Use Permit Application

Planning and Development Department  
604 West Fairmont Parkway  
La Porte, Texas 77571  
281-470-5057

## OVERVIEW

Approval of a Special Conditional Use Permit (SCUP) is required under the following circumstances:

1. To consider approval of certain uses identified as "Conditional Uses" in the city's Commercial and Industrial Use table (Section 106-310 of City of La Porte Code of Ordinances) and Residential Use table (Section 106-331).
2. When developing property in a Planned Unit Development (PUD) zone district, consideration of a SCUP is required in accordance with Section 106-659 of the Code of Ordinances.

SCUP requests are reviewed by the Planning and Zoning Commission as a public hearing. The Commission consists of residents of the community appointed by City Council. The Commission meets on the third Thursday of every month, as necessary. The Commission will forward a recommendation to the City Council for final consideration.

## SUBMITTAL REQUIREMENTS

The following application package must be submitted to the Planning and Development Department at least three (3) weeks prior to the desired hearing date.

- Completed application form.**
- Application fee** of \$400; nonrefundable.
- Site plan, conceptual site plan or general plan**, drawn to scale and dimensioned to show the location of proposed improvements for the development.
- Project description/justification letter** that thoroughly explains what is being requested and why such SCUP should be approved by the Planning and Zoning Commission and City Council.
- Notice of sign posting** fully completed, that ensures the applicant is aware of the requirements of the Public Hearing notice sign.

## PROCESS

- Upon receipt of a complete application package by the Planning and Development Department, the SCUP request will be scheduled for the next available Planning and Zoning Commission meeting date as a public hearing.
- The Planning and Development Department will post a Notice of Public Hearing sign on the property where the SCUP is being requested. The sign must be posted on the property visible from and within 20 feet of the abutting street for a minimum of 10 days before the scheduled public hearing.
- The Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and at City Hall in conformance with legal requirements. Additionally, the city will send notice of the public hearing to all property owners within 300 feet of the subject property where the SCUP is being requested.



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- The Planning and Zoning Commission public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the Planning and Zoning Commission will conduct a public hearing and provide a recommendation to the City Council on the proposed SCUP. If additional information is requested by the Commission, the public hearing may be continued to a future meeting date.
- The Commission and City Council may impose special conditions on an SCUP in an attempt to ensure compatibility of the proposed development with surrounding properties and the community as a whole.
- The Commission is tasked to review the proposed SCUP and offer a recommendation to the City Council for approval, denial, or approval with conditions.
- Following the Commission's public hearing, their recommendation on the proposed SCUP is then forwarded to City Council for consideration.
- For the City Council public hearing, the Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and post notice at City Hall in conformance with legal requirements.
- The City Council public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the City Council will conduct a public hearing and render a decision on the proposed SCUP. However, if additional information is requested by the City Council, the public hearing may be continued to a future meeting date.
- The following is an excerpt from the City of La Porte's Code of Ordinances pertaining to SCUP requests.

## CODE REQUIREMENTS

### Conditional Use Permits

#### Sec. 106-216. - General conditions for all conditional uses in all zoning districts.

- (a) A special conditional use permit may be granted by the city council for the construction of a building and/or the establishment of a use as described in this or any other section, upon a tract of land in single ownership or under unified control.
- (b) Upon application for a special conditional use permit and submission of a general plan, major development site plan, minor development site plan, or preliminary plat (as the case may be), the city planning and zoning commission shall conduct a public hearing, duly advertised and with proper notice being given to all parties affected, as provided in section 106-171 (Amendment procedures). The general site plan, major development site plan, minor development site plan, or preliminary plat shall be drawn to scale and shall show the arrangement of the project in detail, including parking facilities, location of buildings, building uses to be permitted, means of ingress and egress, and other pertinent information, together with the information required by the development ordinance of the city.
- (c) After public hearing and upon recommendation of the city planning and zoning commission, the city council may modify the final planned unit development plan and issue a special conditional use permit containing such requirements and safeguards as are necessary to protect adjoining property.
- (d) Failure to begin construction within one year 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.



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(e) If construction is terminated after the completion of any stage and there is ample evidence that further development is not contemplated, the division 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, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

(f) Every special conditional use permit granted as provided herein shall be considered as an amendment to the zoning ordinance as applicable to such property.

## **Sec. 106-217. - Conditions for approval.**

A special conditional use permit shall be issued only if all of the following conditions have been found:

- (1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.
- (2) That the conditions placed on such use as specified in each district have been met by the applicant.
- (3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.

## **Sec. 106-218. - Amendments.**

The procedure for amendments for a special conditional use permit shall be the same as for a new application.

*Please note that requirements for notification of the public hearing are subject to the provisions of Section 106-171 of the Code of Ordinances.*



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### PROJECT INFORMATION

Address where SCUP is being requested: (not assigned) South 13th Street, La Porte Texas.

Legal description where SCUP is being requested: Reserve A, Block 1, Home Porte

HCAD Parcel Number where SCUP is being requested: 1291920010001

Zoning District: General Commercial Lot area: +/-2.39 acres

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

Description of Request: Applicant requests a SCUP for a 4 story, Type V construction, Marriott Hotel approximately 75,000 to 85,000 s.f., 136 rooms with pool, meeting room, lobby social space, dining area, fitness center and patio - outdoor social area.

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: Sailesh & Paresh Gandhi

Company (if applicable): \_\_\_\_\_

Address: 1251 South 13th Street

City: La Porte State: Texas Zip: 77571

Phone: (409) 256-0018 Email: Willis Gandhi <wgandhi82@yahoo.com>

### AUTHORIZED AGENT (if other than owner)

Name: Willis Gandhi

Company (if applicable): \_\_\_\_\_

Address: 1251 S 13th Street

City: La Porte State: TX Zip: 77571

Phone: (409) 256-0018 Email: Willis Gandhi <wgandhi82@yahoo.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: Willis Gandhi Date: 02/23/2024

Owner(s)' Signature(s): [Signature] Date: 02/23/2024

#### STAFF USE ONLY:

Case Number: 24-91000003

Date Application Received:  
2/27/24



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## NOTICE OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

The undersigned has acknowledged that a sign will be placed on the property based on information provided in this application, and that the applicant will ensure compliance with all requirements have been met and will continue to be met for the duration of the sign posting:

1. A public hearing sign will be posted by the City of La Porte’s Planning and Development Department staff at least ten (10) days prior to the scheduled meeting date. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: (not assigned) South 13th Street, La Porte. Texas \_\_\_\_\_

LEGAL DESCRIPTION: Reserve A, Block 1, Home Porte \_\_\_\_\_

2. Said sign will be placed on the property within 20 feet of the abutting street.
3. Said sign shall remain legible and visible for the entire ten (10) day posting period. If the sign fails to be visible at any point during the ten (10) day posting period, the Public Hearing will be postponed to the next available meeting date.
4. If said sign is damaged or missing, it is my duty to contact the City of La Porte’s Planning and Development Department for a replacement sign. Staff are not responsible to inspect and confirm the status of the posted sign.
5. Said sign will be picked up by City staff upon completion of the Public Hearing.

Willis Gandhi  
Applicant’s Printed Name

Willis Gandhi 2/23/2024  
Applicant’s Signature and Date



## Project Description

The Owners propose to construct a dual-branded Marriott Hotel containing a Fairfield Inn and Town Place Suites,

The Owners presently own 8 hotels, two of which are within the City of La Porte, the Candlewood Inn & Suites and the Home2 Suites by Hilton. The Owners are intimately familiar with the hotel industry having owned as many as 13 hotels in the greater Houston area over 25 years. The Owners build hotels for themselves and others, having constructed over 20 hotels in the last 25 years.

The Owners have applied for and obtained a franchise agreement with Marriott, which provides for the hotel as described herein.

Marriott International, Inc. is a leading global lodging company with more than 6,500 properties across 127 countries and territories, reporting revenues of more than \$22 billion in fiscal year 2022. Founded by J. Willard and Alice Marriott and guided by family leadership for 90 years, the company is located outside of Washington, D.C. in Bethesda, Maryland.

The proposed site is approximately 2.39 acres of the Home Porte subdivision located west of South 13<sup>th</sup> street and south of K Street (unimproved). From Fairmont Parkway, 14<sup>th</sup> Street, extended south, will intersect the site. The proposed hotel will be four stories with some rooms, and all amenities, guest services & back of house operations on the ground floor, and guest rooms on floors 2—4.

The dual-brand hotel project includes all of the guest amenities associated with each of the two brands including pool, meeting room, lobby social space, dining area, fitness center and a patio (outdoor social area). TownPlace Suites offers extended stay guest rooms with a separate sitting area and limited kitchen and dining areas. The Fairfield Inn is a more traditional hotel room. Dual branded properties are typically:

- Are a single building that contains multiple distinct, yet complimentary branded hotels operations within the Marriott portfolio,

- Projects that drive operational efficiencies while not compromising the individual brand experience, and

- Hotels share back of the house operations and some shared amenities such as meeting facilities, fitness center and pool.

Dual branded hotels are indicated in La Porte because:

- La Porte is a high barrier-to-entry location with high land costs and the city requiring public improvements at the Owners' expense,

- There is a small labor pool.

- The Owners have a long-term investment strategy to own both hotels brands.

Guests respond favorably to dual branded hotels and the choice of price point, length of stay, access to additional amenities and access to Marriott's loyalty (rewards) program.

The Owners have selected a dual branded hotel because of:

Shared construction and operational expenses, i.e. management and shared services, resulting in attractive, long-term cost savings,

The advantage of two brands to attract two different audiences and drive incremental spending,

The concept leverages hotel room mix with different room types to drive occupancy and rate, and

The project maximizes real estate and land value.

The Owners are familiar with the local barriers to development, the overall and location specific economics of hotel operations and current & forecast economic conditions.

Benefits to the City: The proposed Hotel will generate property tax, hotel occupancy tax and sales tax revenues for the city as well as creating jobs and revenue for nearby businesses such as restaurants. Having committed a sizable franchise fee paid to Marriott, the Owners have every intent of constructing the Hotel, if not in La Porte than in a nearby community more receptive to hotel development.

The Owners respectfully request approval of the proposed dual brand hotel on this site, based on their expertise and experience in the hotel business, the quality associated with Marriott projects and the tax benefits to the City of La Porte and the economic benefit to the community as a whole.

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