



### City of La Porte Planning and Zoning Commission Agenda

Notice is hereby given of a **Special Called Meeting** of the La Porte Planning and Zoning Commission to be held on **Monday, November 17, 2014 at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Consider approval of meeting minutes: October 30, 2014.
4. Consider approval of Major Development Site Plan #14-83000002 request by La Porte Independent School District to allow construction of a new elementary school building at the site of the existing Lomax Elementary School located at 10615 N. L Street.
5. Open public hearing to receive input on an application for Zone Change #14-92000004 by Spencer Shell LLC, owner of a 1.6611 acre tract of land, described as Tracts 1-5, Spencer Highway Estates 2, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas, from Low Density Residential District (R-1) to General Commercial (GC).
  - a. Staff Presentation
  - b. Applicant Presentation
  - c. Public Comments (for, against, or questions)
  - d. Question and Answer
6. Close public hearing.
7. Consider recommendation to City Council on Zone Change request #14-92000004.
8. Consider ratification of the High Frequency Truck Use Map as previously submitted.
9. Administrative reports.
10. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
11. Adjourn.

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281-470-5019.

#### CERTIFICATION

I certify that a copy of the Monday, November 17, 2014, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_

Title: \_\_\_\_\_

**Planning and Zoning Commission  
Minutes of October 30, 2014**

**Commissioners Present:** Richard Warren, Mark Follis, Wyatt Smith, Nick Barrera, Trey Kendrick, Les Bird, and Hal Lawler

**Commissioners Absent:** Lou Ann Martin and Helen LaCour

**Council Members Present:** Dottie Kaminski, John Zemanek, and Danny Earp

**City Staff Present:** City Planner Eric Ensey, Assistant City Attorney Clark Askins, and Planning Coordinator Peggy Lee

**1. Call to order.**

Chairman Hal Lawler called the meeting to order at 6:00 p.m.

**2. Roll Call of Members.**

Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler were present for roll call.

**3. Consider approval of meeting minutes: September 25, 2014.**

**Motion by Commissioner Warren to approve the September 25, 2014, meeting minutes.**

**Second by Commissioner Kendrick. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**4. Election of a Vice Chair.**

**Motion by Commissioner Bird to nominate Richard Warren as Vice Chair.**

**Second by Commissioner Barrera. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**5. Re-open public hearing to receive input on proposed modifications to Chapter 106 (Zoning) of the City of La Porte Code of Ordinances in connection with the comprehensive review of Chapter 106 (Zoning) by the Chapter 106 (Zoning) Subcommittee of the La Porte Planning and Zoning Commission.**

Chairman Lawler opened the public hearing at 6:03 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented the staff report on the proposed modifications to Chapter 106 (Zoning) of the Code of Ordinances resulting from a comprehensive review of the chapter. A public hearing on this item was opened on September 25, 2014, and subsequently continued to the Commission's October 30, 2014, meeting. The subcommittee and staff met after the Commission's September 25, 2014, meeting to discuss several remaining issues, prior to the Commission making a recommendation to City Council. The following summarizes changes to the version of Chapter 106 that was presented to the Commission at the September 25, 2014, meeting:

**Sec. 106-680. Exterior building designs:** The proposed modifications to this section impact the requirements for exterior building design of properties located within the city's TIRZ No. 1 zone. This was a provision that was over-looked by the Subcommittee. As a result of the new Design Guidelines in Article IX, the reference to 100% masonry is no longer applicable. The proposed language requires any new nonresidential development within the TIRZ zone to comply with the requirements of the Design Guidelines. If a property is not on a thoroughfare identified in Article IX or is located on a thoroughfare identified as a Tier 3, then the Tier 2 requirements apply.

**Sec. 106-800. Landscaping:** The modifications to the landscaping provisions are an attempt to clarify a number of questions that are routinely asked by the public. First of all, the attempt was to move some requirements that were in subsections not appropriate to the regulation. For instance, there were spacing requirements of shrubs within the requirements for type of plants and materials. Secondly, there is an attempt to further clarify the requirements for landscaping within the perimeter planting strip. Shade trees are required within the planting strip along street frontages. There is an allowance for ornamental trees in locations where there are overhead utility lines. Shrubs are required to screen parking areas from the public right-of-way

**ARTICLE IX. DESIGN GUIDELINES:** Changes to Division 1 of Article IX concern design guidelines in the GC and BI zone districts. BI properties along Highway 146 were left out of the original requirements and have been added. The reference to pitched roofs being considered toward the vertical articulation requirement has been removed. A minimum 3 on 12 pitch roof is required for Tier 1 roofs. References in (d) were modified to refer to the correct requirements.

**b. Applicant Presentation**

Refer to Staff Presentation above.

**c. Public Comments (for, against, or questions)**

There were no comments from the public.

**d. Question and Answer**

There were no questions.

**6. Close public hearing.**

Chairman Lawler closed the public hearing at 6:15 p.m.

**7. Consider recommendation to City Council on proposed modifications to Chapter 106 (Zoning) of the City of La Porte's Code of Ordinances in connection with the comprehensive review of Chapter 106 (Zoning) by the Chapter 106 (Zoning) Subcommittee of the La Porte Planning and Zoning Commission.**

**Motion by Commissioner Barrera to recommend to City Council, approval of the proposed modifications to Chapter 106 (Zoning) of the City of La Porte Code of Ordinances as presented to the Commission on September 25, 2014, including additional modifications presented to the Commission on October 30, 2014, in connection with the comprehensive review of Chapter 106 (Zoning).**

**Second by Commissioner Warren. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**8. Consider a recommendation for approval of an amendment to the City's Future Land Use Map amending a .380 acre tract of land further described as Lots 164, 165, and 166, in Block 7, of Battleground Estates, Section 1, a Subdivision in Harris County, Texas according to the Map or Plat thereof recorded in Volume 41, Page 65 of the Map Records of Harris County, Texas, as replatted to form portion of Lot 1 B, in Re-Plat filed and recorded with Harris County on June 15, 1994, under Harris County Clerk's File #P912525, from "Large Lot Residential" to "Low Density Residential."**

Agenda Item #8 is in conjunction with Agenda Item #9; therefore, City Planner Eric Ensey presented the staff report for both Items simultaneously.

In conjunction with Agenda Item #9, Mr. Ensey reported on a zone change request by Joe Chambers to rezone a 0.380 acre tract described as the former Lots 164, 165, and 166, Block 7, Battleground Estates, Section 1 from Large Lot Residential to Low Density Residential in order to deed them to his daughter so she may construct a house. For this to occur, the City's Land Use Map would need to be amended as it currently identifies Lots 164-166 as Large Lot Residential.

**Motion by Commissioner Kendrick to approve an amendment to the City's Future Land Use Map amending a 0.380 acre tract described as the former Lots 164, 165, and 166, Block 7, Battleground Estates, Section 1, from Large Lot Residential to Low Density Residential.**

**Second by Commissioner Bird. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

9. **Open public hearing to receive input on an application for Zone Change #14-92000003 by Joe Chambers, owner of a .380 acre tract of land, described as all of lots formerly designated as 164, 165, and 166, in Block 7, of Battleground Estates, Section 1, a Subdivision in Harris County, Texas according to the Map or Plat thereof recorded in Volume 41, Page 65 of the Map Records of Harris County, Texas, as re-platted to form portion of Lot 1 B, in Re-Plat filed and recorded with Harris County on June 15, 1994, under Harris County Clerk's File # P12525, from Large Lot District (LL) to Low Density Residential District (R-1).**

Chairman Lawler opened the public hearing at 6:30 p.m.

**a. Staff Presentation**

City Planner Eric Ensey presented the staff report for Agenda Items 8 & 9 simultaneously.

Mr. Ensey reported on a zone change request by Joe Chambers to rezone a 0.380 acre tract described as the former Lots 164, 165, and 166, Block 7, Battleground Estates, Section 1 from Large Lot Residential to Low Density Residential in order to deed them to his daughter so she may construct a house.

**b. Applicant Presentation**

The applicant, Joe Chambers, addressed the Commission. Mr. Chambers agreed with staff's presentation and reiterated he is requesting the zone change in order for his daughter to build a house.

**c. Public Comments (for, against, or questions)**

Danny Earp, 1827 Lomax School Road, requested favorable consideration of the request. Mr. Earp believes it is important to protect land use in the Lomax area and this request makes sense.

**d. Question and Answer**

There were no questions.

**10. Close public hearing.**

Chairman Lawler closed the public hearing at 6:35 p.m.

**11. Consider recommendation to City Council on Zone Change request #14-92000002.**

**Motion by Commissioner Bird to recommend to City Council, approval of Zone Change request #14-92000003 rezoning a .380 acre tract of land, described as all of lots formerly designated as 164, 165, and 166, in Block 7, of Battleground Estates, Section 1, from Large Lot District (LL) to Low Density Residential District (R-1).**

**Second by Commissioner Warren. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**12. Consider approval of Vacating Plat #14-97000005 request by Eddie V. Gray, Trustee, for the Vacating Plat of Reserve 1 "Only" of Fairmont Park East Business Park Reserves, 1, 3, 4, 5, and 6.**

Eric Ensey presented the staff report. At City Council's July 14, 2014, meeting, approval was granted to rezone Reserve 1 of the Fairmont Park East Business Park from General Commercial to Low Density Residential. The approval was contingent upon the applicant, Eddie Gray, submitting a request and receiving approval to vacate that portion of the existing plat designated as Reserve 1, removing the commercial restriction to allow for residential use.

**Motion by Commissioner Warren to approve the Vacating Plat of Reserve 1 of Fairmont Park East Business Park.**

**Second by Commissioner Kendrick. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**13. Consider approval of Major Development Site Plan #14-83000002 request by La Porte Independent School District to allow construction of a new elementary school building at the site of the existing Lomax Elementary School located at 10615 N. L Street.**

Eric Ensey presented the staff report on a request by La Porte Independent School District to allow construction of a new elementary school to replace the existing Lomax Elementary School at 10615 N. L Street.

Adam Hutchinson, of Arbor Leaf Engineering, 1002 Village Square Dr., Tomball, Texas, responded to questions from the Commission.

The Commission noted several deficiencies in the Site Plan including notation of detention areas and surface material for fire lane, as well as missing parking and detention calculations, and signature/seal of engineer.

**Motion by Commissioner Kendrick to postpone the item.**

**Second by Commissioner Follis. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

**14. Administrative reports.**

Mr. Ensey reminded the Commission of the special called meeting scheduled for November 17<sup>th</sup>.

**15. Commission Comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.**

Commissioners thanked staff for their work and the members who attended the APA Conference in Frisco expressed appreciation for the opportunity.

**16. Adjourn**

**Motion by Commissioner Warren to adjourn.**

**Second by Commissioner Barrera. Motion carried.**

**Ayes: Commissioners Warren, Follis, Smith, Barrera, Kendrick, Bird, and Lawler**

**Nays: None**

Chairman Lawler adjourned the meeting at 7:09 p.m.

Respectfully submitted,

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Peggy Lee  
Secretary, Planning and Zoning Commission

Passed and Approved on \_\_\_\_\_, 2014.

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Hal Lawler  
Chairman, Planning and Zoning Commission

**City of La Porte, Texas  
Planning and Zoning Commission**



**November 17, 2014**

## **AGENDA ITEM 4**

Consider approval of a Major Development Site Plan (#14-83000002)  
to allow for construction of a new elementary school building  
at the site of the existing Lomax Elementary School  
located at 10615 N. L Street.

***(Item Postponed from the October 30, 2014 Meeting)***

Applicant: La Porte Independent School District

***Eric J. Ensey, City Planner  
Planning and Development Department  
City of La Porte, Texas***

## **Planning and Development Department Staff Report**

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### **ISSUE**

Should the Planning and Zoning Commission approve a request by the La Porte Independent School District for a Major Development Site Plan to allow construction of a new elementary school building for Lomax Elementary located at 10615 N. L Street?

### **RECOMMENDATION**

Staff recommends approval of the proposed Major Development Site Plan as revised.

### **DISCUSSION**

The Planning and Zoning Commission reviewed this request at the October 30, 2014 meeting, and tabled the item pending additional information. The attached Exhibit C is a copy of the staff report presented to the Commission at that meeting for reference purposes. The applicant has submitted the requested information and revised site plan as necessary. The following is a break-down and summary of the additional information provided for consideration by the Commission:

1. The site plan has been stamped by the applicant's engineer.
2. The Fire Marshal reviewed the site plan and requested an additional fire hydrant near the southeast corner of the building. The applicant revised the site plan to add the requested hydrant. As a result, the site is serviced by three hydrants, which provides sufficient coverage in the event of a fire.
3. The fire access lane around the perimeter of the site was previously identified as a "permeable" surface driveway. Although the Fire Marshal approved the use of a permeable surface driveway, the applicant chose to revise the surface material of the fire access lane. The site plan has been modified to indicate the fire access lane will be a concrete surface.
4. The parking table was included on the site plan. The required parking for this development is 59 spaces while the applicant is providing 127 spaces.
5. The City Engineer has reviewed the drainage and detention calculations provided by the applicant. These items have been submitted as a separate document and although not on the site plan document, it is part of the record for the application. Because the site drains into Harris County drainage facilities, the

applicant will be required to provide a letter from the County prior to issuance of a building permit.

Conclusion:

Staff finds that the revised Major Development Site Plan for Lomax Elementary complies with the various applicable code requirements and should be considered for approval.

**ATTACHMENTS**

- Exhibit A: Revised Lomax Elementary Site Plan
- Exhibit B: Drainage and Detention Calculations
- Exhibit C: October 30, 2014 Staff Report Document

**PARKING REQUIREMENTS**

ELEMENTARY SCHOOL 1.5 SPACES PER 30 PERSON CLASSROOM

NUMBER OF CLASSROOMS = 39  
 PARKING SPACES REQUIRED = 59  
 PARKING SPACES PROVIDED = 127

TEXAS ACCESSIBILITY STANDARDS ACCESSIBLE PARKING  
 101 TO 150 PROVIDED SPACES = 5 REQUIRED ACCESSIBLE SPACES  
 5 VAN ACC. SPACES PROVIDED

We, La Porte Independent School District, as Owners of the 14.5019 acre tract described in the above and foregoing site plan of Lomax Elementary do hereby establish said development of said property according to all lines, dedications, restrictions and notations on said site plan. We further certify that all improvements shown on said site plan shall be constructed in the locations shown.

FURTHER, Owners agree to keep all of the property within the boundaries of this site plan and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners agree that those streets and utilities located within the boundaries of this site plan specifically noted as private, shall be maintained as private streets and utilities by the owners, heirs, successors and assigns and further, that said private streets shall be available for the general use of the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times.

IN TESTIMONY WHEREOF, the La Porte Independent School District has caused these presents to be signed by Lloyd Graham, its Superintendent, thereunto authorized, attested by its Assistant Superintendent, Mike Clausen, and its common seal hereunto affixed this \_\_\_ day of September, 2014.

La Porte Independent School District  
 Lloyd Graham, Superintendent  
 Mike Clausen, Assistant Superintendent

This is to certify that the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of Lomax Elementary in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

Director, La Porte Community Development Department

ATTEST:  
 By: Bob Eng, La Porte City Engineer

ATTEST:  
 By: Secretary, La Porte Planning and Zoning Commission

I, Adam Hutchison, am registered under the laws of the State of Texas to practice the profession of engineering and hereby certify that the above site plan is true and correct.

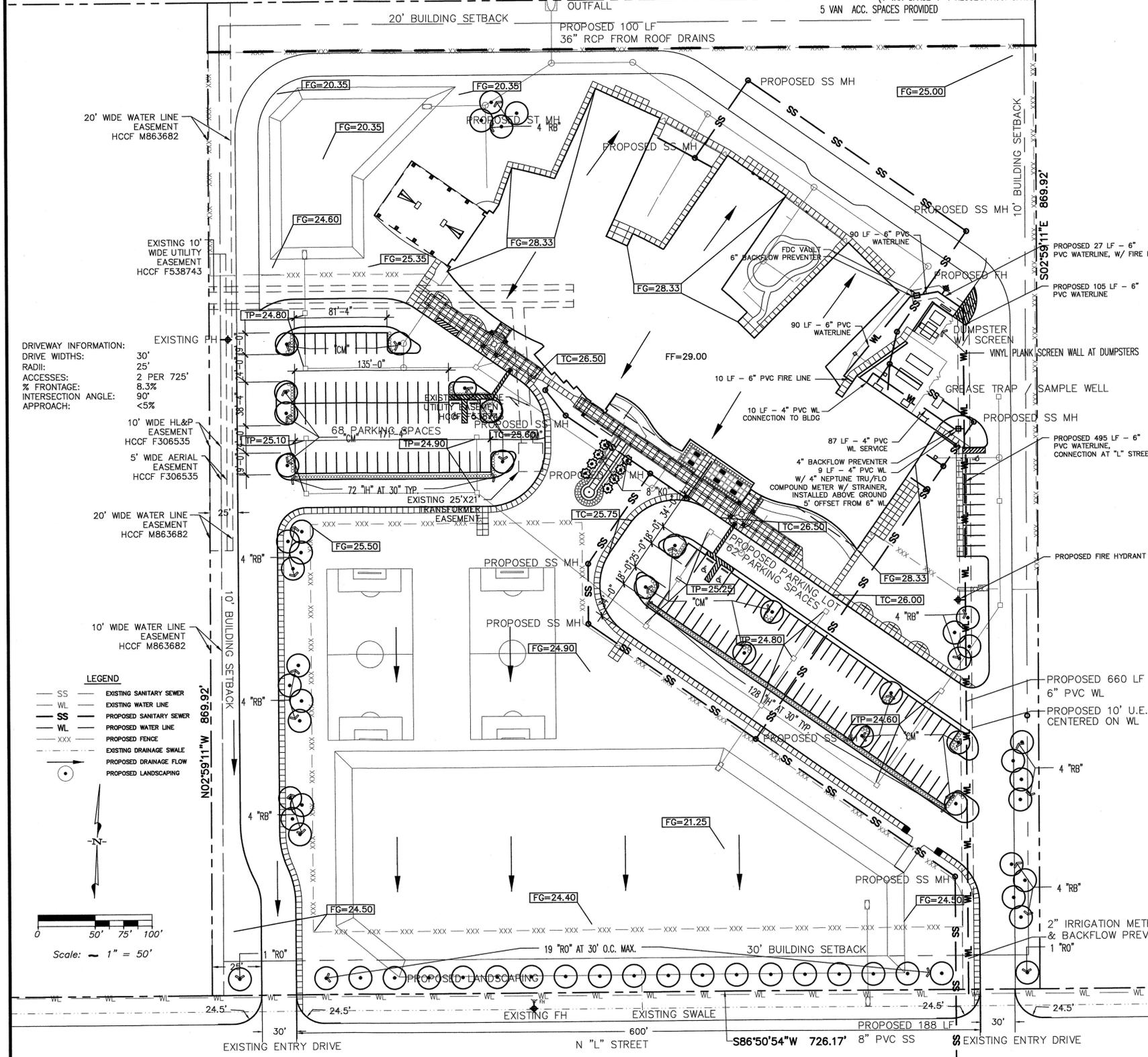
Adam Hutchison, PE  
 Texas Registration No. 102128

**NOTES**

- DEVELOPMENT NAME: LOMAX ELEMENTARY
- DEVELOPMENT TYPE: SCHOOL
- ZONING: LARGE LOT
- OWNER: LA PORTE INDEPENDENT SCHOOL DISTRICT
- DEVELOPER: LA PORTE INDEPENDENT SCHOOL DISTRICT
- LEGAL DESCRIPTION: BEING A 14.5019 ACRE SUBDIVISION OUT OF LOTS 422 AND 423, LA PORTE OUTLOTS IN THE ENOCH BRINSON SURVEY, A-5, LA PORTE, HARRIS COUNTY, TEXAS
- ADDRESS: 10615 N L STREET, LA PORTE, TX 77571
- ENGINEER: ARBORLEAF ENGINEERING & SURVEYING, INC.
- KEY MAP: 539 U
- EXISTING BLDG: X
- FLOOD ZONE: X
- IRRIGATION PLAN WILL BE PROVIDED. LANDSCAPING SHALL BE IRRIGATED WITH AN APPROVED IRRIGATION SYSTEM. A SEPARATE PERMIT WILL BE REQUIRED FOR PROPOSED SYSTEM.
- PROPOSED DUMPSTERS AND GREASE TRAP ARE LOCATED ON THE EAST SIDE OF PROPERTY.
- BUILDING SQUARE FOOTAGE: 102,000 SF.
- LANDSCAPING PLAN WILL BE PROVIDED.
- 20' FIRE LANE WILL BE PROVIDED AROUND THE NORTH SIDE OF THE PROPERTY, AND WILL CONNECT WITH PARKING LOTS ON THE WEST SIDE OF THE PROPERTY.
- TYPICAL PARKING SPACE WILL BE 9' WIDE BY 18' LONG.
- PROPOSED ROOF DRAINS WILL DRAIN TO EXISTING DITCH OUTFALL AT REAR OF THE PROPERTY. EXISTING DITCH OUTFALL FLOW RATE WILL NOT BE EXCEEDED.
- ALL OTHER GRASS AND PARKING AREAS WILL DRAIN TO THE FRONT OF THE PROPERTY, AND WILL REMAIN CONSISTANT WITH THE CURRENTLY EXISTING LOMAX ELEMENTARY SITE PLAN.
- THE SANITARY SEWER SERVICE WILL BE CONNECTED AT THE EAST SIDE OF THE BUILDING AND WILL RUN SOUTH TO THE EXISTING SANITARY LINE LOCATED ON NORTH "L" STREET.
- PER ADA "100 TO 150 SPACES SHALL REQUIRE 5 ACCESSIBLE SPACES".
- ALL PAVING WILL BE CONCRETE.
- OVERHEAD ELECTRICITY WILL BE PROVIDED.
- EXISTING SANITARY SEWER TO BE CUT AND PLUGGED BY CONTRACTOR.
- NEW 8" SANITARY SEWER CONNECTION AT "L" STREET TO BE MADE BY CONTRACTOR.

**PLANT SCHEDULE**

SHADE TREES					
QUANTITY	ITEM	COMMON NAME	BOTANICAL NAME	SIZE	SPACING
1	01	RED OAK	Quercus shumardii	3"-3 1/2" CAL., 12"-14" HIGH, 65 GAL.	
ORNAMENTAL TREES					
1	02	ORANGE JASMINE	Fraxinella indica 'Nanaform'	2" CAL. WOOD-BRUSH, 8"-10" HIGH, 30 GAL.	
1	03	PIPER BUSH	Isatis sp.	2" CAL., 2-3 CANES, 8"-10" HIGH, 30 GAL.	
SHRUBS					
200	04	INDIAN HAWTHORNE	Rugelandsia indica	5 GAL., 18"-18 1/2" SPREAD	30" O.C.
9	05	KNOXHOOT HOPE	See 2-Knoxhoote	5 GAL., 18", 20" SPREAD	30" O.C.



DRIVEWAY INFORMATION:  
 DRIVE WIDTHS:  
 RADIUS:  
 ACCESSES:  
 % FRONTAGE:  
 INTERSECTION ANGLE:  
 APPROACH:

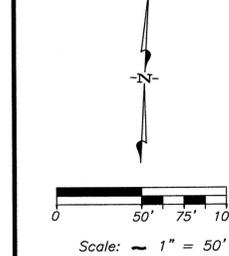
10' WIDE HL&P EASEMENT HCCF F306535  
 5' WIDE AERIAL EASEMENT HCCF F306535

20' WIDE WATER LINE EASEMENT HCCF M863682

10' WIDE WATER LINE EASEMENT HCCF M863682

**LEGEND**

- SS - EXISTING SANITARY SEWER
- WL - EXISTING WATER LINE
- SS - PROPOSED SANITARY SEWER
- WL - PROPOSED WATER LINE
- XXX - PROPOSED FENCE
- - EXISTING DRAINAGE SWALE
- - PROPOSED DRAINAGE FLOW
- - PROPOSED LANDSCAPING



**PROPOSED SITE LAYOUT**

**CALL BEFORE YOU DIG**

Texas One Call participants request 48 hours notice before you dig, drill, or blast. Call 1-800-377-3377, call Texas One Call System @ 1-800-245-4545.

**CAUTION:**  
 The location of SBC Telephone Company Utilities are shown in an approximate way only. The contractor shall determine the exact location before commencing work. He agrees to be fully responsible for any and all damages which might occur by his failure to exactly locate and preserve these underground utilities.  
 1-800-344-8377 a minimum of 48 hours prior to construction to have underground lines field located. When excavating within eighteen inches of the indicated location of telephone facilities, all excavation must be accomplished using non-mechanized excavation procedures. When boring the contractor shall expose the SBC telephone facilities.

When telephone facilities are exposed, the contractor should provide support to prevent damage to the conduit ducts or cables. When excavating near telephone poles, the contractor shall brace the pole for support.

**CAUTION:**  
 Underground gas facilities. Locations of Centerpoint Energy main lines (to include unit gas transmission and/or industrial gas supply corp., where applicable) are shown in an approximate location only. Service lines are usually not shown. The contractor shall contact the Utility Coordinating Committee at (713)-223-4567 or 1-800-869-8344 a minimum of 48 hours prior to construction to have main and service lines field located.

When Centerpoint Energy pipe line markings are not visible call (713)-967-8037 (7:00 AM to 4:30 PM) for status of line location request before excavation begins.  
 When excavating within 18" of the indicated location of Centerpoint Energy facilities, all excavation must be accomplished using non-mechanized excavation procedures.  
 When Centerpoint Energy facilities are exposed, sufficient support must be provided to the facilities to prevent excessive stress on the piping.

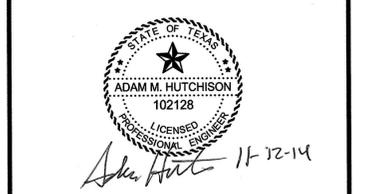
**CAUTION:**  
 Overhead Electric lines may exist on the property. We have not attempted to mark those lines since they are clearly visible, but the Contractor should locate them prior to beginning any construction. Texas Law, Section 72c, Health and Safety Code, forbids all activities in which persons or things may come within six feet of live overhead high voltage lines. Parties responsible for the work, including contractors, are legally responsible for safety of construction workers under this law. This law carries both criminal and civil liability. To arrange for lines to be turned off or moved, call Centerpoint Energy @ 713-207-2222.

The Contractor shall be liable for all legal actions resulting from construction activity in the vicinity of this project and by accepting these plans, agree to hold the Owner and Engineer harmless from any claims or damages resulting from his work.

**SAFETY SYSTEMS**

"These plans, and any attendant drawings, including shop drawings, 'As Built' drawings, or record drawings, addenda, change orders and specifications, prepared by this engineer do not extend to or include designs or systems pertaining to the safety of the construction contractor or its employees, agents, or representatives in the performance of the work. The seal of the Registered Professional Engineer hereon does not extend to any such safety systems that may now or hereafter be incorporated in these plans. The construction contractor shall prepare or obtain the appropriate safety systems, including the plans and specifications required by House Bills 662 and 665 enacted by the Texas Legislature in the 70th Legislature--Regular Session.

All work shall conform to OSHA Safety Regulations.



No.	Revision Description	Date

**Arborleaf Engineering & Surveying, Inc.**  
 TBPE 7705 TBPLS 100543-00  
 1002 Village Square Drive, Ste B  
 Tomball, Texas 77375  
 281-655-0634

**LOMAX ELEMENTARY SITE PLAN**

**SITE PLAN**

La Porte, Texas

Submitted by: _____	Designed by: AMH
Scale: _____	Drawn by: AMH
Date: _____	Sheet 1 of 2 Sheets
FB No: _____	ALES PROJECT #
Survey by: _____	14-432

**ARBORLEAF ENGINEERING  
& SURVEYING, INC.**

TBPLS # 100543-00 TBPE # 7705  
1002 Village Square Drive, Suite B  
Tomball, Texas 77375  
281-655-0634

August 22, 2014

Mr. Bob Eng, P.E.  
City Engineer  
City of La Porte  
604 W. Fairmont Parkway  
La Porte, Texas 77571

Re: Detention Summary  
Lomax Elementary School  
ALES Project # 14-448

Mr. Eng,

This letter provides assumptions and calculations used for the determination of additional detention volume needed at the site of the new Lomax Elementary School improvements.

**Site Information:**

The property is relatively flat with elevations ranging from slightly over 25.0 at the northerly end to roughly 24.0 at the southeast corner. There is a small existing mound in the northeast corner with elevations near 25.7.

Existing ground cover consists of school buildings, concrete parking lots, grass, and small trees. There is an existing Harris County Flood Control Department (HCFCD) ditch (F101-06-00) that runs to the north of the property in a west to east direction. There is an existing city owned ditch along the "L" Street right-of-way that also runs west to east.

The property is shown on FEMA map panel 48201C0940M, and is designated Zone X, which is above the 100 and 500 year flood plains.

The City of La Porte has jurisdiction as the Flood Plain Administrator. The existing tie-in to the HCFCD ditch will not currently be altered, and the existing flow rate into the ditch will be maintained.

The pond will be designed as follows:

Side slopes will be a maximum of 3:1

The ponds will be fenced

The constructed ponds will be hydroseeded to prohibit erosion

A concrete pilot channel will be constructed in the ultimate pond to facilitate flow through the pond.

There may be two detention ponds utilized to mitigate drainage impacts due to development during construction. The sizing of the ultimate pond volume and appropriate calculations are shown below.

**Detention Calculations:**

The total area of the Lomax site is 14.5019 acres.

The existing and proposed C values are based on calculations of pervious and impervious cover for each condition. Currently the site has 197,095 square feet of impervious cover. The proposed site will have a final area of 244,482 square feet of impervious cover:

$$\text{Existing } C = \frac{197,095 \text{ SF}}{631,703 \text{ SF}} = 0.31$$

$$\text{Proposed } C = \frac{244,482 \text{ SF}}{631,703 \text{ SF}} = 0.38$$

The rainfall intensity for the 100 year storm is calculated using the TxDOT rainfall intensity-duration-frequency coefficients, e, b, and d, for a 30 minute time of concentration:

$$e = 0.706$$

$$b = 91$$

$$d = 7.9$$

The resulting rainfall intensity is 7.0 in / hr. Calculating the 100 year peak flow for each condition:

$$Q = CiA, \text{ and } i_{100} = 7 \text{ in / hr}$$

$$\text{Existing } Q = 0.31 \times 7 \times 14.5019 = 31.47 \text{ CFS}$$

$$\text{Proposed } Q = 0.38 \times 7 \times 14.5019 = 38.58 \text{ CFS}$$

From these two peak flow conditions we use H.R. Malcom's Method to develop the hydrograph of each condition for the site. The area between the 100 year existing curve and the 100 year proposed curve will be the additional volume needed on the site.

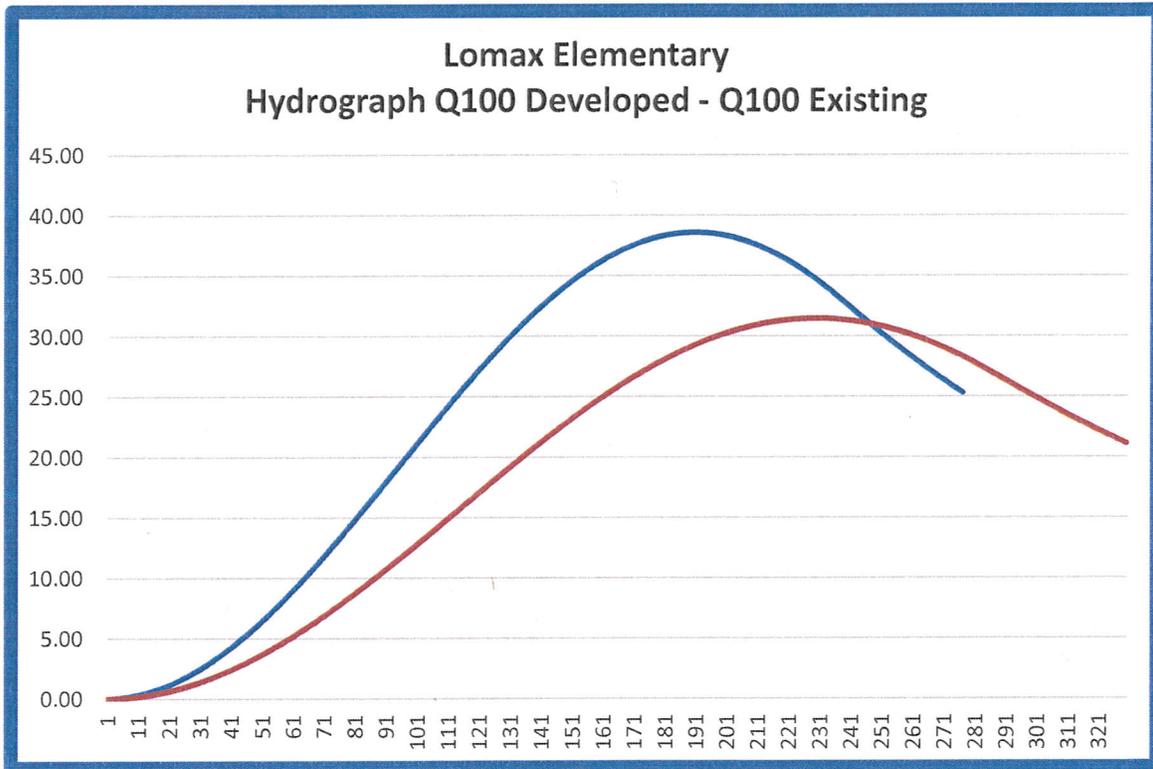
The H.R. Malcom Method uses the following equations:

$$Q_i = \frac{Q_p}{2} \times \left( 1 - \frac{\cos(\pi \times t_i)}{T_p} \right), \text{ for } t_i < T_p$$

and

$$Q_i = 4.34 \times Q_p \times e^{(-1.3 t_i / T_p)}, \text{ for } t_i > T_p$$

These equations yield the following curves for the existing and proposed conditions at Lomax Elementary. The graph plots a flow rate, in cubic feet per second, for each time step, shown in minutes:



The red curve is the 100 year hydrograph for the existing condition with a peak flow of 31.47 CFS. The blue curve is the 100 year hydrograph for the proposed condition with a peak flow of 38.58 CFS. The two curves intersect at approximately 247 minutes. The area between these two curves as calculated using Microsoft Excel is 92,792 cubic feet, which is the resulting additional detention volume needed for the site.

Please let me know if you have any questions or comments, or if you need any additional information.

Sincerely,

Adam Hutchison, PE  
Project Manager



**CONSULTANTS**

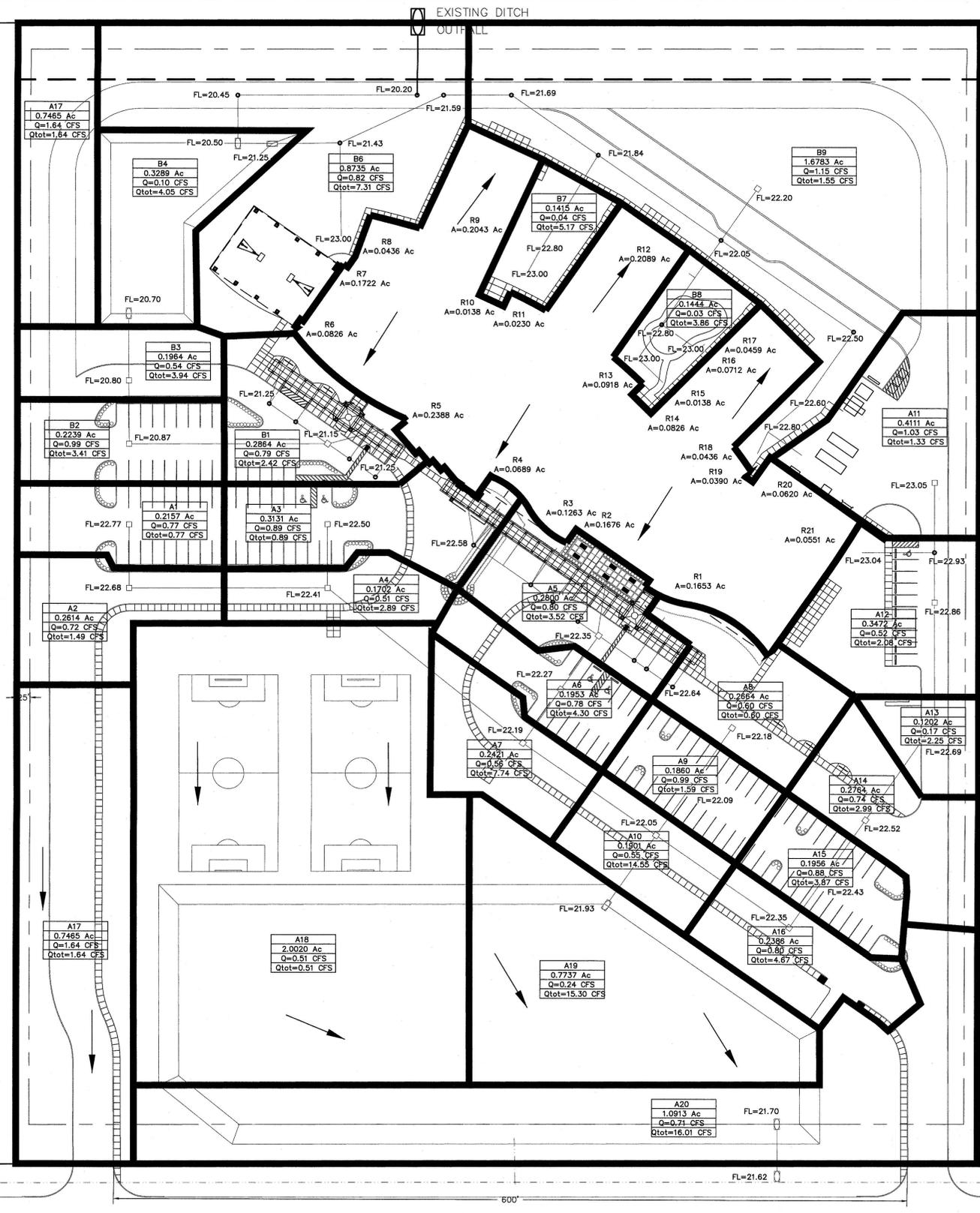
**Structural**  
 C/J Engineers  
 3200 Westcott Drive, Suite 305  
 Houston, Texas 77042  
 (713) 780 3345  
 (713) 780 3712 Fax

**MEP**  
 KME SALAS O'BRIEN  
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 Foodservice Design Professionals  
 26215 Oak Ridge Drive  
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 (281) 350 5969 Fax

H.C.F.C.D. F101-06-00  
 60' R.O.W.



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**New Lomax Elementary**  
 10615 N "L" Street, La Porte, Texas 77571  
 La Porte Independent School District



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*Adam Hutchison*  
 9-25-14

PROJECT NO. 201423	
DATE	SEP 25, 2014
DRAWN	
CHECKED	
DATE	ISSUE
9/17/2014	PERMIT & BIDDING
9/25/2014	ADDENDUM 4

**C3.01**  
 DRAINAGE AREAS

**Structural**  
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**Foodservice Design Professionals**  
 28215 Oak Ridge Drive  
 Spring, Texas 77380  
 (281) 350 2323  
 (281) 350 5859 Fax

2 Year Storm	b=	75.01
	d=	16.2
	e=	0.8315

Drainage Area	Area (SF)	Area (Acres)	Impervious Area (SF)	Pervious Area (SF)	C	Tc (min.)	i (in./hr.)	Q (CFS)	Cumulative Flow (CFS)	Pipe Diameter (in.)	n	S (%)	Design Flow (CFS)	Velocity (FPS)
A1	9,397	0.2157	7,397	2,000	0.79	13.24	4.51	0.77	0.77	12	0.009	0.20	2.31	2.94
A2	11,387	0.2614	6,738	4,649	0.59	11.91	4.68	0.72	1.49	12	0.009	0.20	2.31	2.94
A3	13,640	0.3131	8,182	5,458	0.60	11.62	4.72	0.89	0.89	12	0.009	0.20	2.31	2.94
A4	7,415	0.1702	4,456	2,959	0.60	9.65	5.02	0.51	2.89	15	0.009	0.18	3.97	3.23
A5	12,197	0.2800	7,117	5,080	0.58	10.40	4.90	0.80	3.52	15	0.009	0.18	3.97	3.23
A6	8,508	0.1953	6,579	1,929	0.77	8.84	5.15	0.78	4.30	15	0.009	0.18	3.97	3.23
A7	10,544	0.2421	4,459	6,085	0.42	7.28	5.44	0.56	7.74	21	0.009	0.12	7.95	3.31
A8	11,605	0.2664	4,905	6,700	0.42	7.96	5.31	0.60	0.60	12	0.009	0.20	2.31	2.94
A9	8,103	0.1860	7,759	344	0.96	6.61	5.57	0.99	1.59	12	0.009	0.20	2.31	2.94
A10	8,282	0.1901	4,058	4,224	0.49	5.28	5.86	0.55	14.55	24	0.009	0.20	14.65	4.66
A11	17,906	0.4111	10,674	7,232	0.60	15.70	4.21	1.03	1.33	12	0.009	0.20	2.31	2.94
A12	15,125	0.3472	5,069	10,056	0.34	13.63	4.46	0.52	2.08	12	0.009	0.20	2.31	2.94
A13	5,237	0.1202	1,564	3,673	0.30	11.68	4.71	0.17	2.25	12	0.009	0.20	2.31	2.94
A14	12,039	0.2764	6,586	5,453	0.55	10.34	4.91	0.74	2.99	12	0.009	0.20	2.31	2.94
A15	8,520	0.1956	7,401	1,119	0.87	8.67	5.18	0.88	3.87	15	0.009	0.18	3.97	3.23
A16	10,394	0.2386	6,448	3,946	0.62	7.37	5.42	0.80	4.67	15	0.009	0.25	4.68	3.81
A17	32,517	0.7465	13,958	18,559	0.43	8.99	5.13	1.64	1.64	12	0.009	0.20	2.31	2.94
A18	87,208	2.0020	0	87,208	0.05	9.11	5.11	0.51	0.51	12	0.009	0.20	2.31	2.94
A19	33,702	0.7737	0	33,702	0.05	3.90	6.19	0.24	15.30	30	0.009	0.07	15.72	3.20
A20	47,539	1.0913	5,197	42,342	0.11	4.95	5.93	0.71	16.01	30	0.009	0.08	16.80	3.42

Drainage Area	Area (SF)	Area (Acres)	Impervious Area (SF)	Pervious Area (SF)	C	Tc (min.)	i (in./hr.)	Q (CFS)	Cumulative Flow (CFS)	Pipe Diameter	n	S	Design Flow	Velocity (FPS)
B1	12,475	0.2864	6608	5,867	0.53	8.43	5.23	0.79	2.42	12	0.009	0.22	2.42	3.08
B2	9,755	0.2239	7,656	2099	0.78	6.43	5.61	0.99	3.41	15	0.009	0.18	3.97	3.23
B3	8,555	0.1964	3934	4,621	0.46	4.93	5.94	0.54	3.94	15	0.009	0.18	3.97	3.23
B4	14,325	0.3289	0	14325	0.05	3.53	6.28	0.10	4.05	15	0.009	0.18	3.97	3.23
B5	14,007	0.3216	3498	10,509	0.25	2.63	6.53	0.52	0.52	12	0.009	0.20	2.31	2.94
B6	38,050	0.8735	5577	32,473	0.15	3.12	6.39	0.82	7.31	21	0.009	0.10	7.26	3.02
B7	6,165	0.1415	0	6165	0.05	7.21	5.45	0.04	5.17	18	0.009	0.13	5.49	3.10
B8	6,292	0.1444	0	6292	0.05	12.87	4.55	0.03	3.86	15	0.009	0.18	3.97	3.23
B9	73,105	1.6783	9986	63,119	0.14	9.80	5.00	1.15	1.55	12	0.009	0.20	2.31	2.94

Drainage Area	Area (SF)	Area (Acres)	Impervious Area (SF)	Pervious Area (SF)	C	Tc (min.)	i (in./hr.)	Q (CFS)	Cumulative Flow (CFS)	Pipe Diameter	n	S	Design Flow	Velocity (FPS)
R1	7,200	0.1653	7,200	0	1.00	8.90	5.14	0.85	0.85	10	0.009	Vertical Drop	-	-
R2	7,300	0.1676	7,300	0	1.00	8.90	5.14	0.86	0.86	10	0.009	Vertical Drop	-	-
R3	5,500	0.1263	5,500	0	1.00	8.90	5.14	0.65	0.65	10	0.009	Vertical Drop	-	-
R4	3,000	0.0689	3,000	0	1.00	8.90	5.14	0.35	0.35	8	0.009	Vertical Drop	-	-
R5	10,400	0.2388	10,400	0	1.00	9.37	5.07	1.21	1.21	12	0.009	Vertical Drop	-	-
R6	3,600	0.0826	3,600	0	1.00	9.37	5.07	0.42	0.42	8	0.009	Vertical Drop	-	-
R7	7,500	0.1722	7,500	0	1.00	4.06	6.15	1.06	1.06	10	0.009	Vertical Drop	-	-
R8	1,900	0.0436	1,900	0	1.00	4.06	6.15	0.27	0.27	6	0.009	Vertical Drop	-	-
R9	8,900	0.2043	8,900	0	1.00	8.15	5.28	1.08	1.08	10	0.009	Vertical Drop	-	-
R10	600	0.0138	600	0	1.00	8.15	5.28	0.07	0.07	6	0.009	Vertical Drop	-	-
R11	1,000	0.0230	1,000	0	1.00	8.15	5.28	0.12	0.12	6	0.009	Vertical Drop	-	-
R12	9,100	0.2089	9,100	0	1.00	13.81	4.43	0.93	0.93	10	0.009	Vertical Drop	-	-
R13	4,000	0.0918	4,000	0	1.00	13.81	4.43	0.41	0.41	8	0.009	Vertical Drop	-	-
R14	3,600	0.0826	3,600	0	1.00	13.81	4.43	0.37	0.37	6	0.009	Vertical Drop	-	-
R15	600	0.0138	600	0	1.00	13.81	4.43	0.06	0.06	8	0.009	Vertical Drop	-	-
R16	3,100	0.0712	3,100	0	1.00	13.81	4.43	0.32	0.32	8	0.009	Vertical Drop	-	-
R17	2,000	0.0459	2,000	0	1.00	13.81	4.43	0.20	0.20	8	0.009	Vertical Drop	-	-
R18	1,900	0.0436	1,900	0	1.00	10.74	4.85	0.21	0.21	6	0.009	Vertical Drop	-	-
R19	1,700	0.0390	1,700	0	1.00	10.74	4.85	0.19	0.19	6	0.009	Vertical Drop	-	-
R20	2,700	0.0620	2,700	0	1.00	10.74	4.85	0.30	0.30	8	0.009	Vertical Drop	-	-
R21	2,400	0.0551	2,400	0	1.00	16.64	4.11	0.23	0.23	8	0.009	Vertical Drop	-	-

**New Lomax Elementary**  
 10615 N "L" Street, La Porte, Texas 77571  
**La Porte Independent School District**



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PROJECT NO. 201423  
 DATE SEP 17, 2014  
 DRAWN  
 CHECKED

DATE	ISSUE
9/17/2014	PERMIT & BIDDING

C3.02

DRAINAGE CALCULATIONS

**City of La Porte, Texas  
Planning and Zoning Commission**



**October 30, 2014**

## **AGENDA ITEM 13**

Consider approval of a Major Development Site Plan (#14-83000002)  
to allow for construction of a new elementary school building  
at the site of the existing Lomax Elementary School  
located at 10615 N. L Street.

Applicant: La Porte Independent School District

*Eric J. Ensey, City Planner*  
*Planning and Development Department*  
*City of La Porte, Texas*

## Planning and Development Department Staff Report

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### ISSUE

Should the Planning and Zoning Commission approve a request by the La Porte Independent School District for a Major Development Site Plan to allow construction of a new elementary school building for Lomax Elementary located at 10615 N. L Street?

### RECOMMENDATION

Staff recommends approval of the proposed Major Development Site Plan as submitted.

### DISCUSSION

Applicant/Property Owner:

La Porte Independent School District

Applicant's Request:

The applicant is seeking to construct a new elementary school building to replace the existing Lomax Elementary School building located at 10615 N. L Street. The proposed school will be 102,000 square feet in floor area. The District has located the building on the site in a manner that they can utilize the current building while the new building is under construction. The attached Exhibit A is the proposed site development plan. The attached Exhibit B is a survey of the existing improvements on the site.

Background Information:

The subject site is approximately 14.5 acres and is located on N. L Street in the Lomax area. The attached Exhibit C is an Area Map showing the location of the subject property.

The legal description of the property is "a 14.5019 acre subdivision out of Lots 422 and 423, La Porte Outlots in the Enoch Brinson Survey, A-5, City of La Porte, Harris County, Texas."

The site is currently zoned LL, Large Lot Residential, and contains the existing Lomax Elementary School. The school is a permitted use in the LL District. The following table summarizes the surrounding zoning and land uses:

Planning and Zoning Commission Regular Meeting  
 October 30, 2014  
 Major Development Site Plan – Lomax Elementary

	Zoning	Land Use
<b>North</b>	LL, Large Lot Residential	Harris County F-101 Drainage Channel
<b>South</b>	LL, Large Lot Residential	Large Lot Residential (10614 N. L Street, 10618 N. L Street, 10690 N. L Street, 10707 N. H Street, 10698 N. L Street)
<b>West</b>	LL, Large Lot Residential	Large Lot Residential (10601 N. L Street, 10607 Sullivan Street)
<b>East</b>	LL, Large Lot Residential	Large Lot Residential (10813 Elizabeth Lane, 10720 Elizabeth Lane)

The City of La Porte’s Land Use Map identifies this parcel as “Public/Institutional.”

Analysis:

This site development plan was reviewed according to the provisions of Appendix E of the city’s Development Ordinance (No. 1444). Because the site is greater than 10 acres in size, it requires approval by the Planning and Zoning Commission. The site plan is also subject to all applicable requirements of the city’s Zoning Ordinance (Chapter 106 of the city’s Code of Ordinances). Planning staff has reviewed the proposed site development plan and concluded that the application complies with all applicable code requirements. The following is a description of staff’s analysis of various considerations:

*Site Improvements.*

The applicant has situated the proposed school on the site in a manner that will allow for the use of the existing building while new building is under construction. Following completion of construction, LPISD will demolish the existing building. The site will include a 102,000 square foot building, new parking lots with a total of 141 parking spaces, new site circulation, landscaping improvements, drainage and detention improvements, and new play fields.

*Landscaping.*

The site development plan includes proposed landscaping in accordance with the provisions of Section 106-800 of the Zoning Ordinance. The proposal includes street trees planted at 30’ on center along N. L Street. Additionally, trees and shrubs are proposed in planter beds within the parking lot areas in order to visually break up the parking lot as well as provide future shade relief. The proposed landscaping will substantially enhance the site.

*Parking and circulation.*

Section 106-838 of the Zoning Ordinance outlines the city’s parking requirements for elementary school uses. Specifically the code requires: 10 minimum, plus 1 space per 20 students and 1 space per staff. The total number of parking spaces required is 96. The proposed site plan provides for 141 parking spaces (which includes 5 accessible spaces).

The site plan proposes to reuse two existing curb cuts along N. L Street. The current configuration of the site has four curb cuts along N. L Street. The proposal reduces the number of curb cuts and therefore improves the safety and circulation when entering or exiting the site. Staff finds that the configuration of the drive aisle for the site will include improved circulation patterns for pick-up and drop-off. Additionally a proposed permeable surface fire lane has been provided in accordance with Fire Code requirements, along with additional fire hydrants.

*Drainage and detention.*

The proposed site plan includes two detention ponds to meet the drainage requirements as outlined in the city's PICM (Public Improvement Criteria Manual). The site is bisected in terms of drainage basins, with a portion of the site draining to the north and into F-101 and the other portion draining south to the existing swale along N. L Street. Because both ponds discharge into Harris County drainage systems, the applicant will need to provide the city with an acceptance letter from Harris County prior to the issuance of a building permit. The district has also been working with Harris County Flood Control District on the dedication of an easement adjacent to F-101 to accommodate future improvements to the drainage channel. A 43-foot drainage easement will be dedicated to HCFCD.

Conclusion:

Based on the analysis above, staff finds that the proposed Major Development Site Plan for Lomax Elementary complies with the various applicable code requirements and should be considered for approval.

## ATTACHMENTS

- Exhibit A: Proposed Lomax Elementary Site Plan
- Exhibit B: Survey of Existing Conditions
- Exhibit C: Area Map

**City of La Porte, Texas  
Planning and Zoning Commission**



**November 17, 2014**

## **AGENDA ITEM 5**

Consider approval of a Zone Change to rezone a 1.6611 acre tract of land described as Tracts 1-5, Spencer Highway Estates 2, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas.  
from R-1, Low Density Residential, to GC, General Commercial  
Applicant: Spencer Shell LLC

*Eric J. Ensey, City Planner  
Planning and Development Department  
City of La Porte, Texas*

## Planning and Development Department Staff Report

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### ISSUE

Should the Planning and Zoning Commission recommend approval to the City Council of the proposed zone change request by Spencer Shell LLC for the rezoning of a 1.6611 acre tract of land further described as Tracts 1-5, Spencer Highway Estates 2, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas, from R-1, Low Density Residential, to GC, General Commercial?

### RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval of the request by Spencer Shell LLC to rezone the subject property from R-1 to GC.

### DISCUSSION

Applicant/Property Owner:  
Spencer Shell LLC

Applicant's Request:  
The attached Exhibit B is the application submitted to the city. Additionally, the attached Exhibit C is a preliminary conceptual site plan for the proposed development of this site. The submitted conceptual site plan shows the site to be developed with an ALDI store and fast food restaurant pad. The proposed ALDI would be approximately 17,651 square feet in area and is a supermarket store. The fast food restaurant pad site indicates the possibility of a 3,000 square foot restaurant with drive-thru.

Background Information:  
The subject site proposed to be rezoned is approximately 1.6611 acres and is located on the southeast corner of Spencer Highway and Canada Road. The applicant also owns the adjacent property at the corner of the site, where a Shell gas station currently exists. The size of the entire parcel of land owned by the applicant is approximately 1.73 acres. Should the rezoning be approved, the applicant has indicated that the gas station will be removed from the site to accommodate the development of the site.

Planning and Zoning Commission Regular Meeting  
November 17, 2014  
Spencer Shell LLC Zone Change

The legal description of the parcel is described as Tracts 1-5, Spencer Highway Estates 2, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas, and Lot 1, Texaco at Canada.

Should the City Council approve the rezoning of this tract of land, the applicant will be required to submit the necessary platting and site development plan prior to the development of the site. The applicant will have to ensure compliance with all applicable city requirements, including but not limited to: access and traffic, detention, landscaping, parking, masonry, screening from residential uses, design guidelines, and utilities and infrastructure.

The subject site is currently split zoned with a portion of the site adjacent to Spencer Highway zoned GC, General Commercial, and the remainder of the site zoned R-1, Low Density Residential. The attached Exhibit D shows the zoning of the subject property and surrounding properties. The following table summarizes the surrounding zoning and land uses:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	GC, General Commercial	City of Deer Park, across Spencer Highway
<b>South</b>	R-1, Low Density Residential	Existing single family residential lot (3203 Canada Road)
<b>West</b>	GC, General Commercial MH, Manufacture Housing Park	Existing Jack In The Box (across Canada Road) Existing Pecan Plantation Manufactured Housing Park
<b>East</b>	GC, General Commercial R-1, Low Density Residential	Harris County Flood Control District Drainage Channel

The site is currently identified as Commercial in the Future Land Use Map (see Exhibit F).

Notification Requirements:

Staff finds that the public hearing notification requirements outlined in Section 106-171 were performed in accordance with code provisions, including the following: notice in a newspaper of general circulation at least 15 days prior to the hearing; written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing; sign posted on the site within 15 days of the hearing. Additional notice of the public hearing was posted at City Hall and on the City’s website. A complete list of public hearing notification requirements is found in the attached Exhibit G, Section 106-171, Amendment procedures.

Analysis:

There are a number of different considerations staff evaluated during the review of this application. The following describes staff’s analysis of those considerations:

1. *Land Use.* The subject site is currently split-zoned, with a portion of the lot zoned GC and the rest zoned R-1. The City's adopted Future Land Use Map identifies the site for "Commercial" development. The proposed use of the site would be consistent with the city's vision of the site being developed for commercial uses.
2. *Access.* The site has access to both Canada Road as well as Spencer Highway. Both Canada and Spencer are Harris County road, therefore the applicant will need to receive access permits from the county prior to issuance of a building permit. However, staff has concerns with the proposed curb-cut access at the southern-most portion of the site. There is potential for visibility issues with the location of the access point in relation to the curve of Canada Road as it approaches Spencer Highway. Additionally stacking of turning movements from Canada south-bound traffic turning into this site could have impacts to the intersection of Spencer Highway and Canada Road. Staff will be requesting an intersection analysis provided by the applicant as part of a traffic study that shows the impacts of the proposed access point on Canada Road and Spencer Highway. The applicant will need to demonstrate that the proposed access point will not have adverse impacts on the intersection and will be required to mitigate any impacts as necessary.
3. *Utilities.* Water and sewer lines are located adjacent to the site. The applicant will be required to tap into those lines for development of the site.
4. *Density.* The commercial zone districts do not have density requirements, but the development will be required to comply with the requirements of the GC District

Additionally, the City's Comprehensive Plan identifies a number of items to be considered prior to making land use decisions. The following table breaks down each item and staff's finding.

Planning and Zoning Commission Regular Meeting  
November 17, 2014  
Spencer Shell LLC Zone Change

Criterion:	Staff Findings:
Ability of infrastructure to support the permitted use.	Water and sanitary sewer lines are located adjacent to the subject site. Future development will be required to, and have adjacent access to, tap into those lines for service.
Impact on the value and practicality of the surrounding land uses.	The use of the property for future commercial development will be consistent with the city's future land use map. It is not anticipated that the development of this site will negatively impact the value of adjacent properties. The subject site will be required to provide the necessary screening adjacent to any residentially zoned property.
Conformance of a zoning request with the land use plan.	Rezoning the site to GC would be consistent with the city's land use plan as the site is identified for future commercial development.
Character of the surrounding and adjacent areas.	The use of the property for future commercial development will be consistent with the city's future land use map. The use is also consistent with other commercial uses along and fronting on Fairmont Parkway to the east and west of the subject site. The applicant will be required to provide the necessary screening in accordance with the city's code requirements, as the subject site is adjacent to residentially zoned property. The proposed use will not negatively impact the character of the surrounding area.
Suitability of the property for the uses which would be permissible, considering density, access and circulation, and adequacy of public facilities and services.	Density and circulation of the proposed uses to the site are adequate. Staff does have some concerns with regard to access points to the site. The applicant will be required to demonstrate that the proposed access point do not negatively impact the flow of traffic on the adjacent roadway system.
The extent to which the proposed use designation would adversely affect the capacity or safety of that portion of the road.	Staff will be requiring the applicant to submit a traffic report and intersection analysis that will provide a detailed analysis of any potential impacts associated with the various access points to the site. The applicant will be required to mitigate any impacts prior to the approval of a site plan.
The extent to which the proposed use designation would create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.	Based on the information provided, the proposed commercial use will not create excessive air pollution, water pollution, noise pollution, or other environmental harm to adjacent properties.
The gain, if any, to the public health, safety, and welfare of the City.	The proposed use would contribute to the City's goal of enhancing community character as identified in the Comprehensive Plan and will facilitate quality economic development in the city.

**Conclusion:**

Based on the above analysis, staff supports the request by the applicant to rezone the subject property from R-1, Low Density Residential, to GC, General Commercial.

**ATTACHMENTS**

- Exhibit A: Draft Ordinance
- Exhibit B: Zone Change Permit Application
- Exhibit C: Conceptual Site Plan
- Exhibit D: Area Map
- Exhibit E: Zoning Map
- Exhibit F: Land Use Map

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY CHANGING THE ZONING CLASSIFICATION FROM SPLIT LOW DENSITY RESIDENTIAL (R-1) AND GENERAL COMMERCIAL (GC) TO EXCLUSIVELY GENERAL COMMERCIAL (GC), FOR A 1.6611 ACRE TRACT OF LAND HEREIN DESCRIBED; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

**Section 1:** Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by changing the zoning classification of the following described property, to wit: 1.6611 acres of land located near the intersection of Canada Road and Spencer Highway, in the William Jones Survey, Abstract 482, City of La Porte, and more particularly described by metes and bounds description attached hereto as Exhibit A and incorporated by reference for all purposes, from split Low Density Residential (R-1) and General Commercial (GC) classifications, to exclusively General Commercial (GC).

**Section 2:** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 3.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 5.** The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration in compliance with code provisions.

**Section 6.** The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the

amendments to the City of La Porte Zoning Map and Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

**Section 7.** This Ordinance shall be effective upon its passage and approval of this Ordinance, this Ordinance shall become null and void.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

\_\_\_\_\_  
Clark T. Askins, Assistant City Attorney

**Legal Description:**

**1.6611 Acres**

**72,356 Sq. Ft.**

Being 1.6611 acres of land in the William Jones Survey Abstract No. 482, City of La Porte, Harris County, Texas, being all of the called 1.7288 acre tract of land as described in deed to SARD Enterprises, Inc. as recorded in Harris County Clerk's File Number 20110256783, less a 0.068 Judgment to the City of La Porte, Texas recorded in Harris County Clerk's File Number Y861690, and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 5/8 iron rod with "Atkinson 5897" cap set at the intersection of the south right of way of Spencer Highway (width 100 feet) with the east right of way of Canada road (width varies) being the northeast corner of Reserve "B" dedicated to the City of La Porte to widen Canada Road shown by plat recorded in Film Code 419137 of the Harris County Map Records,, said iron rod also being the northwest corner of Lot 1 as shown by plat of Texaco at Canada Subdivision recorded in Film Code 419137 of the Harris County Map Records;

**THENCE** N.86°59'03"E. 195.00 feet along the south right of way of said Spencer Highway (width 100 feet), to a 5/8 iron rod with "Atkinson 5897" cap set marking the northwest corner of said 1.7288 acres and also marking the **PLACE OF BEGINNING**;

**THENCE** N.86°59'03"E. 151.63 feet continuing along the south right of way of said Spencer Highway (width 100'), to a 5/8 iron rod with "Atkinson 5897" cap set for corner at the intersection of the south right of way line of Spencer Highway and the west boundary of a 55 foot fee strip described to Harris County Flood Control District in Harris County Clerk's File Number P302406;

**THENCE** S.09°28'15"W. 340.02 feet to a 5/8 iron rod with "Atkinson 5897" cap set for corner, a 5/8 inch iron rod with H.G. Smith Cap found bears S.89°59'57"W. 5.39 feet, said set iron rod also the northeast corner of the called "Lot 6" as described to Fred Anthony in Harris County Clerk's File Number P430065;

**THENCE** S. 87°07'34"W. 361.41 feet to a 1 inch iron pipe found in the east right of way of said Canada Road (width varies);

**THENCE** N.15°39'57"E. 138.38 feet along the east right of way of said Canada Road (width varies), to a 5/8 iron rod with "Atkinson 5897" cap set marking the northeast corner of a called 0.068 acres conveyed to City of La Porte in Harris County Clerk's File Number Y861690;

**THENCE** N.86°59'03"E. passing a 5/8 iron rod with "Atkinson 5897" cap set at 45.00 feet marking the southwest corner of said Lot 1, and continuing in all 240.00 feet to a 1/2 inch iron rod found for corner;

**THENCE** N.03°18'42"W. 200.00 feet, to the **PLACE OF BEGINNING**.

FROM

City of La Porte  
50 W. Fairmont Pkwy.  
La Porte, TX 77571

Planning & Development Department  
**ZONE CHANGE PERMIT APPLICATION**

Phone: 281.470.5073  
Fax: 281.470.5005  
www.laportetx.gov

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**1. PROPERTY OWNER CONTACT INFORMATION:**  
OWNER'S NAME: Spencer Shell LLC PHONE 1: \_\_\_\_\_  
PHONE 2: 0 FAX #: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
MAILING ADDRESS: 5534 Dawnington Place Sugar-Land, TX 77479

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**2. AGENT REPRESENTING PROPERTY OWNER (If Applicable):**  
AGENT / CONTRACTOR COMPANY: NEIL ATKINSON - ATKINSON ENGINEERS  
PHONE 1: 281 872 7600 PHONE 2: \_\_\_\_\_  
E-MAIL: NEIL @ ATKINSON ENGINEERS . COM FAX #: 281 872 7601  
MAILING ADDRESS: 19515 WIED ROAD, SPRING, TX 77388  
CONTACT PERSON'S NAME: NEIL ATKINSON PHONE: 281 872 7600

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**3. PROPERTY DESCRIPTION:**  
HCAD PARCEL NO(S) 10-Digit Tax ID(s):  
1) 04318 800 10001  
2) 12 0512 000 0001  
3) \_\_\_\_\_  
PROPERTY ADDRESS (if existing): 9000 SPENCER HWY. LA PORTE, TX 77571  
PROPERTY LEGAL DESCRIPTION: TR3 1-5 SPENCER HWY. ESTATES 2, 4, 1/4 AND LOT 1 TERRACE AT CAMBRIA

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**4. ZONING INFORMATION OF PROPERTY:**  
CURRENT ZONING DESIGNATION: LOW DENSITY RES. REQUESTED ZONING DESIGNATION: GENERAL COMMERCIAL  
CURRENT SIC/NAICS USE NO.: VACANT LAND PROPOSED USAGE: GENERAL COMMERCIAL

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**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (check applicable boxes):**  
 COMPLETE ITEMS 1-5 OF PERMIT APPLICATION  
 ATTACH CERTIFIED PLAN (check applicable boxes):  
 GENERAL PLAN     MINOR DEV. SITE PLAN     MAJOR DEV. SITE PLAN     PRELIM. PLAN  
 SUBMIT NON-REFUNDABLE \$300.00 APPLICATION FEE  
 PRINTED NAME: NEIL ATKINSON SIGNATURE: [Signature] DATE: 10/20/14

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**STAFF USE ONLY:** APPLICATION NO.: \_\_\_\_\_  
 DATE OF P&Z PUBLIC HEARING: \_\_\_\_\_ RECOMMENDATION:  YES     NO  
 APPLICANT & ADJACENT OWNERS NOTIFIED:  YES     NO DATE OF NOTIFICATION: \_\_\_\_\_  
 DATE OF CITY COUNCIL AGENDA: \_\_\_\_\_ APPROVED:  YES     NO  
 ADOPTED BY ORDINANCE NO.: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_

Ley  Wilson Development, LLC

4544 Post Oak Place Drive  
Suite 375  
Houston, TX 77027  
713.439.0788  
fax: 713.439.0791

To Whom It May Concern,

I am proposing to demolish the existing Shell gas station at the Southeast corner of Spencer Hwy at Canada and replace it with a 17,500 sf free standing ALDI grocery store and a free standing retail/restaurant pad. I have entered into a 20 year ground lease with ALDI on the property at the hard corner.

The entire development will encompass approximately 2.55 acres. A portion of the 2.55 acres is currently zoned as low density residential and is vacant. The remaining portion of the property is zoned as general commercial. With this in mind I would like to request your consideration of rezoning the entire tract to general commercial.

I appreciate your consideration to this matter.

Sincerely,

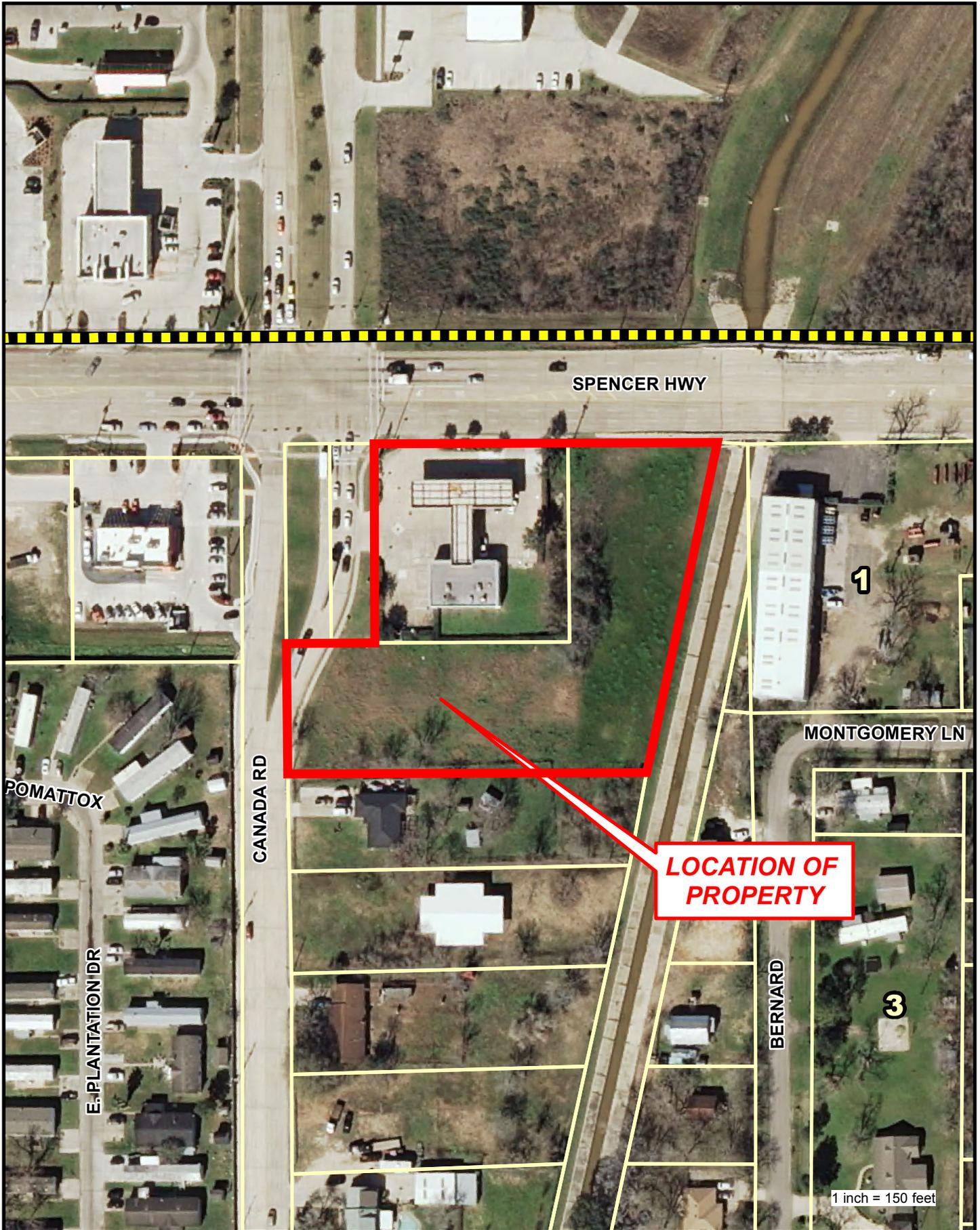
  
David Ley



# AREA MAP

(REZONE REQUEST #14-9200004)

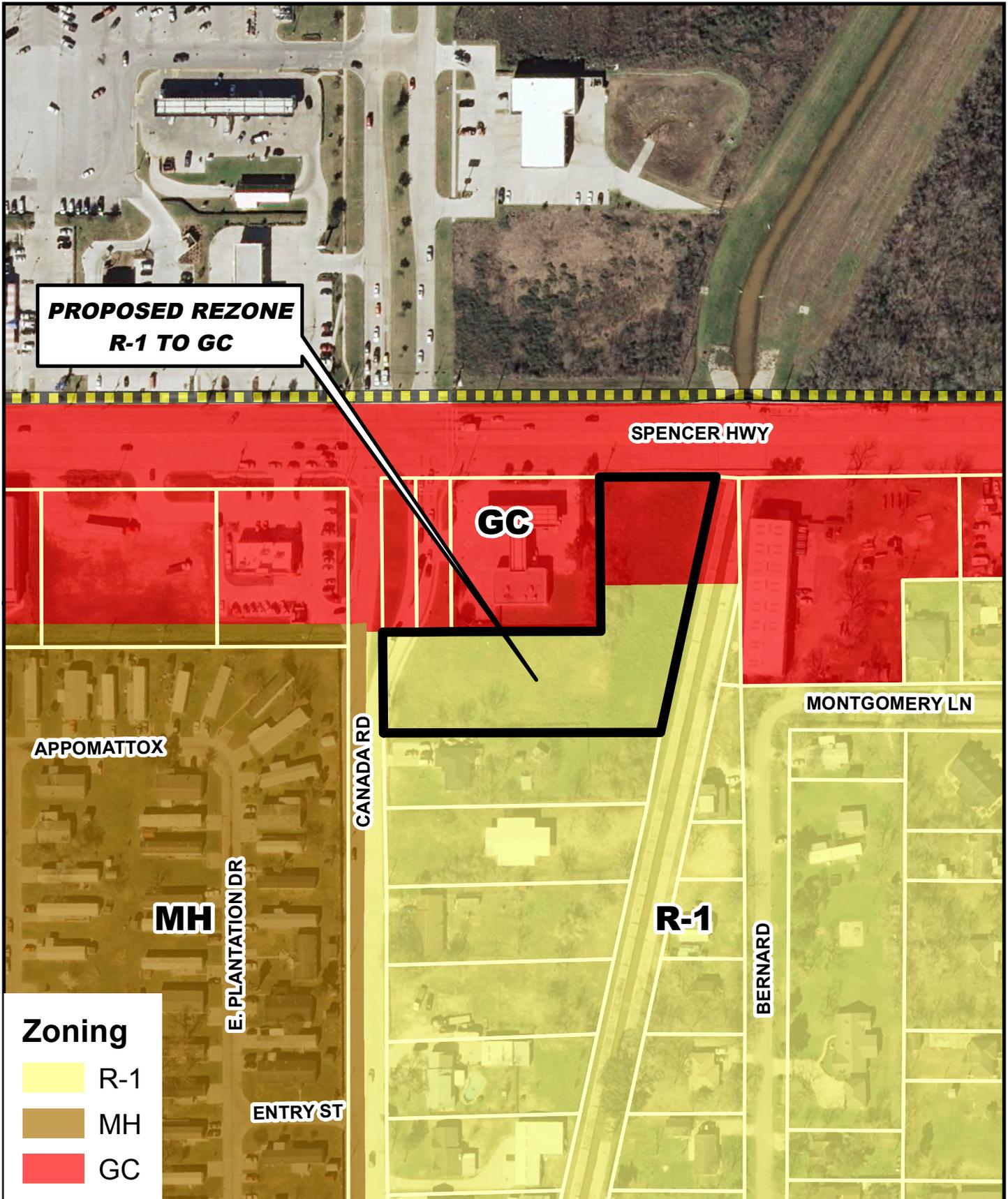
EXHIBIT D





NOT TO SCALE

ZONING MAP  
(ZONE CHANGE REQ. #14-92000004)

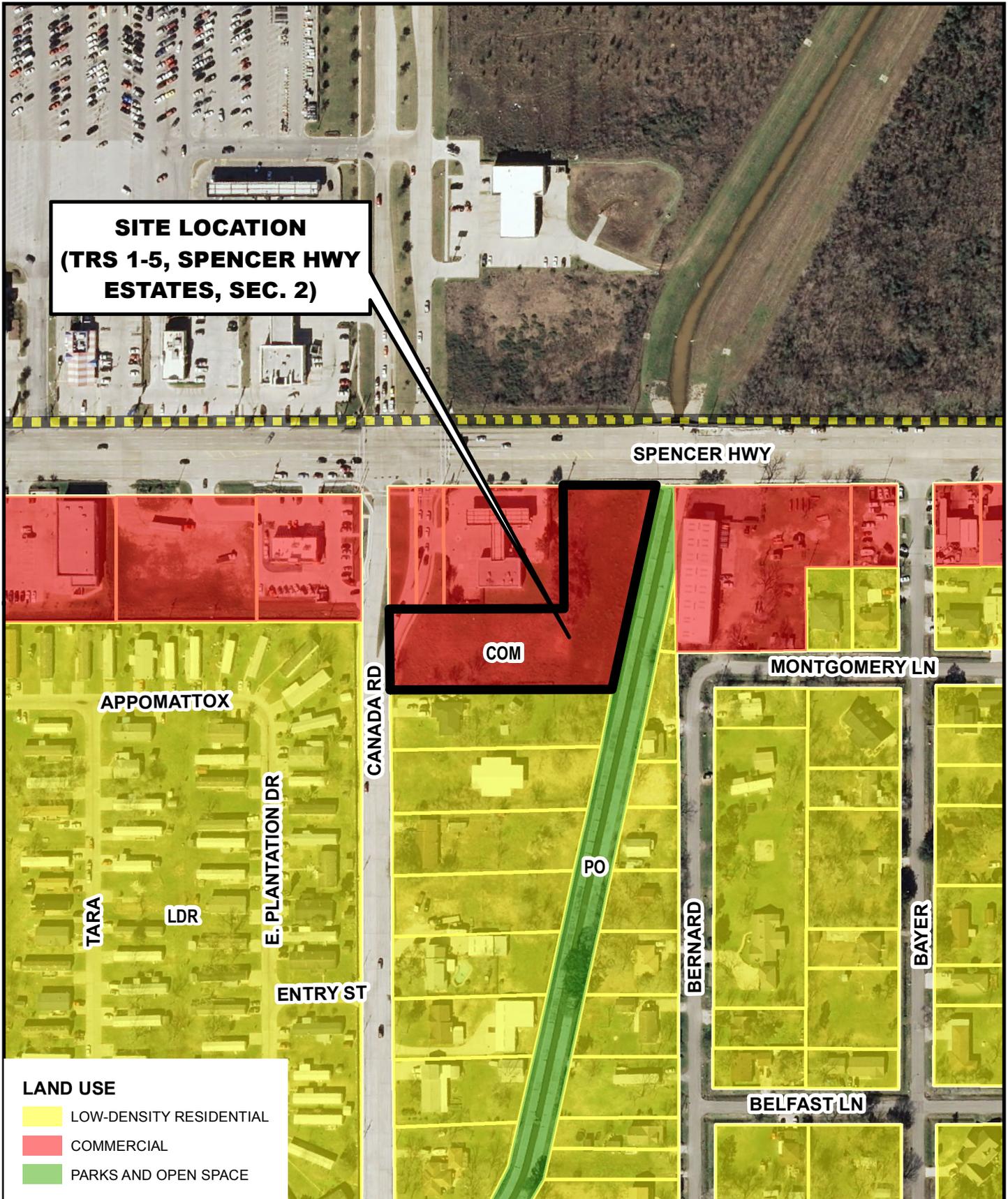




NOT TO SCALE

LAND USE MAP  
(ZONE CHANGE REQ. #14-92000004)

**SITE LOCATION  
(TRS 1-5, SPENCER HWY  
ESTATES, SEC. 2)**



**City of La Porte, Texas  
Planning and Zoning Commission**



**November 17, 2014**

## **AGENDA ITEM 8**

Consider ratification of the High Frequency Truck Use Map previously presented.

*Eric J. Ensey, City Planner  
Planning and Development Department  
City of La Porte, Texas*

## Planning and Development Department Staff Report

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### ISSUE

Should the Planning and Zoning Commission ratify the High Frequency Truck Use Map as previously presented?

### RECOMMENDATION

Staff recommends ratification of the High Frequency Truck Use Map.

### DISCUSSION

The City Council approved an ordinance adopting various modifications to Chapter 106 (Zoning) of the city's Code of Ordinances. As part of that approval, modifications were made to Section 106-746 concerning the location of heavy truck uses. This section was established to replace the requirements for truck terminals. The provisions of this section allow for land use decisions for truck uses based on a Heavy Truck Use Map.

This section establishes that certain heavy truck uses generated from NAICS uses 484110, 484121, 484220, 484230 and 493 shall only be located within properties directly adjacent to the right-of-way of designated High Frequency Truck Roads, provided those uses comply with the underlying zoning. The code defines "High Frequency Truck Road" *as a road designated by the city intended to accommodate the heavy truck uses referenced in section 106-746 (Location of heavy truck uses).*

These provisions require the city to establish High Frequency Truck Roads. As a result, staff is presenting the attached High Frequency Truck Use Map (Exhibit A) for consideration by the Commission. This map was presented at the September 25, 2014 public hearing of the proposed modifications to Chapter 106 and was conceptually approved by the Commission. This map will identify roads where heavy truck uses referenced in the above NAICS categories can locate, subject to applicable zoning district use regulations.

This map is different than the city's Official Truck Route map established in Chapter 70 of the city's Code of Ordinances.

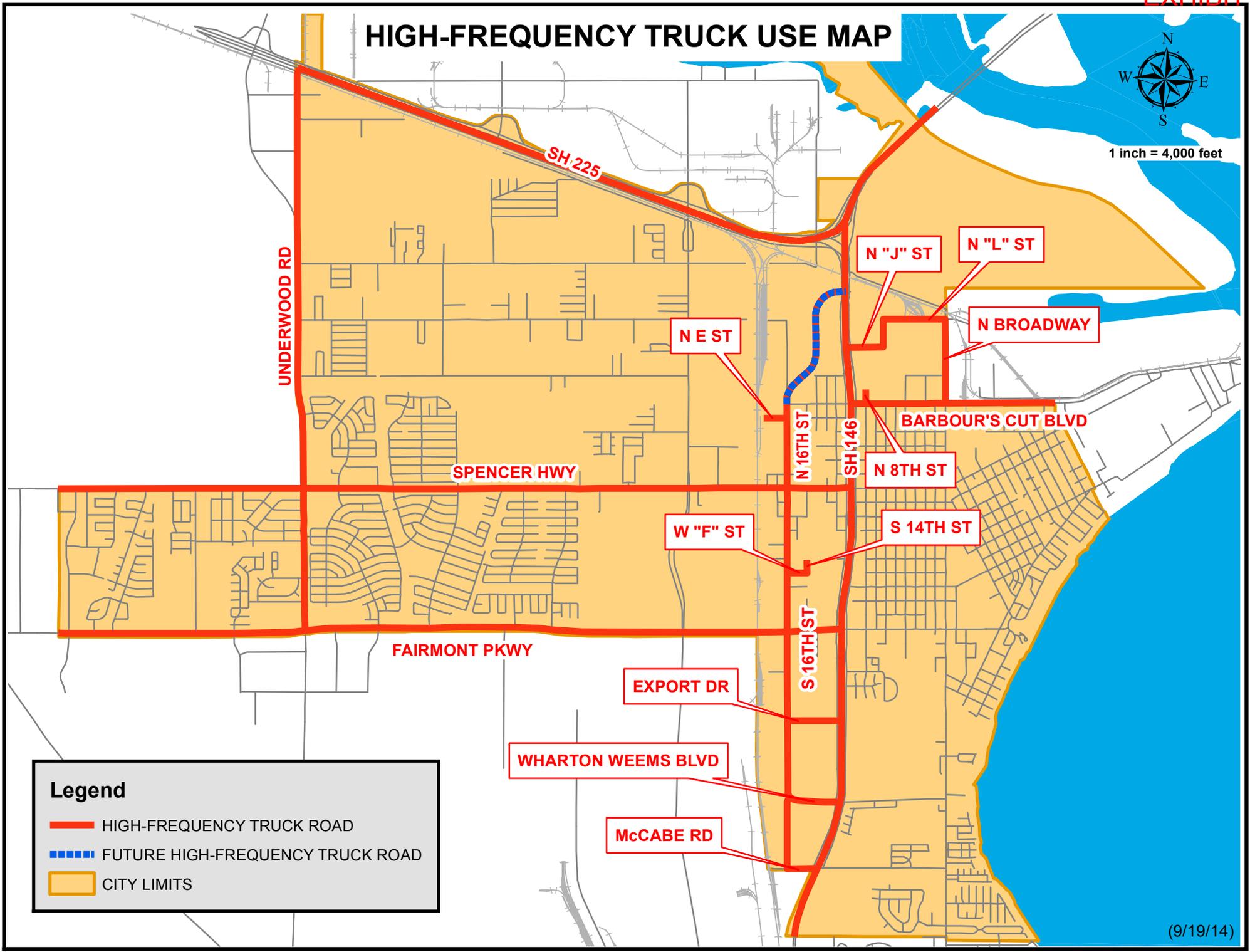
### ATTACHMENTS

Exhibit A: High Frequency Truck Use Map

# HIGH-FREQUENCY TRUCK USE MAP



1 inch = 4,000 feet



**Legend**

-  HIGH-FREQUENCY TRUCK ROAD
-  FUTURE HIGH-FREQUENCY TRUCK ROAD
-  CITY LIMITS