



City of La Porte Zoning Board of Adjustment Meeting Agenda

Notice is hereby given of a **Regular Meeting** of the La Porte Zoning Board of Adjustment to be held on **September 26, 2013**, 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. Consider approval of August 22, 2013, meeting minutes.
3. A public hearing will be held to consider Variance Request #13-93000005 for the property located along Canada Road, further described as TRS 692C, 693B, 706 and 707, La Porte Outlots, as recorded in Volume 83, Page 344, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas. The applicant, Mariposa Pecan Park, LP., seeks a variance to reduce the off-street parking requirement for proposed "Mariposa at Pecan Park" along Canada Road. The variance is being sought under the terms of Section 106-192 (b) (2) (b) of the City's Code of Ordinances.
 - A. Staff Presentation
 - B. Proponents
 - C. Opponents
 - D. Proponents Rebuttal
4. Administrative Reports
5. Board Comments on matters appearing on agenda or inquiry of staff regarding specific factual information or existing policy
6. Adjourn

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by 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 September 26, 2013, agenda of items to be considered by the Zoning Board of Adjustment was posted on the City Hall bulletin board on the ____ day of _____ 2013.

Title: _____

Out of consideration for all attendees of the meeting, please turn off all cell phones and pagers, or place on inaudible signal. Thank you for your consideration.

MINUTES

**Zoning Board of Adjustment
Minutes of August 22, 2013**

Board Members Present: Rod Rothermel, Chester Pool, Charles Schoppe, and T.J. Walker

Board Members Absent: Lawrence McNeal (Alt 1) and Sherman Moore (Alt 2)
George Maltsberger (resigned)

City Staff Present: City Planner Masood Malik, Public Improvement Coordinator Reagan McPhail, Assistant City Attorney Clark Askins, and Office Coordinator Peggy Lee

1. Call to Order.

Vice-Chairman Rod Rothermel called the meeting to order at 6:00 p.m.

2. Consider approval of the June 27, 2013, meeting minutes.

With no objection presented, the June 27, 2013, minutes were approved as presented.

3. A public hearing will be held to consider Variance Request #13-93000004 for the property located at 1212 Robinson Road, further described as Lots 6, TRS 5A & 7A, Block 2, Coronet Park, Section 1, Enoch Brinson Survey, Abstract No. 5, La Porte, Harris County, Texas. The applicant seeks a variance to allow a fence to be constructed in the front yard area contrary to the provisions of Section 106-791 of the Code of Ordinances. The variance is being sought under the terms of Section 106-192 (b) (2) (b) of the Code of Ordinances.

A. Staff Presentation

City Planner Masood Malik presented the staff report for Variance Request #13-93000004. Property owners Manuel and Glenda Castillo are constructing a new home and are seeking approval of a variance allowing a new fence to be erected on the property line within the front yard setback area at 1212 Robinson Road. Mr. Malik noted that property line fences are common in this area of town.

Public hearing notices were mailed to ten property owners located within 200' of the subject tract. The City did not receive any responses to the mailout.

B. Proponents

Manuel Castillo was sworn in by Vice-Chairman Rothermel. Mr. Castillo, 3874 Pecan Circle, addressed the Board. Mr. Castillo spoke of safety concerns he has for his granddaughter since one of his neighbors has a swimming pool.

C. Opponents

There were no opponents.

D. Proponents Rebuttal

There were no rebuttals.

Motion by T.J. Walker to approve Variance Request #13-93000004 allowing a fence to be constructed on the property line within the front yard setback area at 1212 Robinson Road. Second by Charles Schoppe. Motion carried.

Ayes: Rod Rothermel, Chester Pool, Charles Schoppe, and T.J. Walker

Nays: None

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

4. **A public hearing will be held to consider Special Exception #13-94000001 for the property located at 124 South 2nd Street, further described as Lots 17-21, Block 39, Town of La Porte, Johnson Hunter Survey, Abstract 35, La Porte, Harris County, Texas. The applicant seeks a special exception to allow a driveway to be located 22 feet from the intersection of West "A" Street and South 2nd Street in lieu of the 40-foot minimum distance requirement from intersections. The special exception is being sought under the terms of Section 106-191 (b) (3) of the City's Code of Ordinances.**

A. Staff Presentation

City Planner Masood Malik presented the staff report for Special Exception Request #13-94000001. The City of La Porte is constructing a parking lot near the recently completed Fire Station No. 1. The City is seeking approval of a special exception to allow a reduced driveway distance from an intersection in order to align the driveways with the bays of Fire Station No. 1 and maximize the number of parking spaces for the proposed parking lot. The parking lot will serve personnel and patrons of the Fire Department, as well as visitors during Main Street events.

Public hearing notices were mailed to 24 property owners located within 200' of the subject tract. The City received one response in favor of the special exception.

B. Proponents

There were no proponents.

C. Opponents

Vice-Chairman Rothermel swore in William T. Manning, Jr., 108 S. 2nd Street. Mr. Manning was unsure if he was in favor or opposed to the request, but he did have concerns with the t-alley and drainage. The alley has not been accessible since the new fire station was constructed.

Vice-Chairman Rothermel advised Mr. Manning that the issues he had brought up were not part of the request being considered.

Vice-Chairman Rothermel swore in Tom Gardner, 11918 N. Ave. "P" Street. Mr. Gardner had been notified there would be a variance request for N. "P" Street. Mr. Malik reported that particular item had been withdrawn by the applicant.

D. Proponents Rebuttal

There were no rebuttals.

Mr. Malik responded to questions from the Board confirming there are improvements planned for the intersection and there is not a visibility issue with the site triangle.

Mr. Pool wanted to ensure the alley remains accessible and any drainage problems are avoided.

Motion by Chester Pool to approve Special Exception Request #13-9400001 allowing a driveway to be located 22 feet from the intersection of West "A" Street and South 2nd Street in lieu of the 40-foot minimum distance requirement from intersections.

Second by T.J. Walker. Motion carried.

Ayes: Rod Rothermel, Chester Pool, Charles Schoppe, and T.J. Walker
Nays: None

Assistant City Attorney Clark Askins read from Section 106-196 of the Code of Ordinances: *Appeals from the Board of Adjustment.*

5. Administrative Reports

Mr. Malik reported on the following proposed developments:

- 75-lot residential subdivision west of Sens Road and north of Spencer Highway
- Two convenience store/gas stations; one along Underwood Road at "L" Street and another along Fairmont Parkway at Canada Road.
- Retail development along SH 146 south of Main Street.
- Senior multi-family development along Canada Road known as Mariposa at Pecan Park.

6. Board comments on matters appearing on agenda or inquiry of staff regarding specific factual information or existing policy.

There were no comments from the Board.

7. Adjourn

Motion by T.J. Walker to adjourn. Second by Chester Pool. The meeting adjourned at 6:22 p.m.

Respectfully submitted,

Peggy Lee
Secretary, Zoning Board of Adjustment

Passed and Approved on _____, 2013.

Rod Rothermel
Vice-Chairman, Zoning Board of Adjustment

**VARIANCE REQUEST
13-93000005**

Mariposa at Pecan Park

EXHIBITS:

STAFF REPORT

APPLICATION FOR VARIANCE

EXHIBIT A – AREA MAP

EXHIBIT B – SITE PLAN

EXHIBIT C - SECTION 106-839, CODE OF ORDINANCES

EXHIBIT D – PUBLIC NOTICE RESPONSE (not received to date)

Variance Request #13-9300005

Requested by: Mariposa Pecan Park, LP. and Stuart Shaw, on behalf of Bobby Grisham, Owner/Trustee

Requested for: Reduction in the amount of required parking

Legal Description: 12.9717 acres of land being a portion of 17.7717 acre tract of land located along Canada Road, further described as TRS 692C, 693B, 706 and 707, La Porte Outlots, as recorded in Volume 83, Page 344, of the Deed Records of Harris County, William M. Jones Survey, Abstract No. 482, La Porte, Harris County, Texas.

Location: 3535 Canada Road

Zoning: High Density Residential (R-3)

Background: Mariposa at Pecan Park is a proposed apartment complex designed exclusively for active adults 55 years and older. The project is proposed for 12.9717 acres of land located approximately 1000' north of the intersection of Canada Road and Fairmont Parkway.

To accommodate this project, the applicant requested a rezone from General Commercial (GC) to High Density Residential (R-3). City Council, at their August 12, 2013, meeting, approved the rezone request.

The applicant is now proceeding with plans to develop a 180-unit apartment complex. On September 06, 2013, staff received a major development site plan for the proposed project. During review, staff used the following sections of the City's zoning ordinance:

Section 106-333 – As of now, the subject property is zoned High Density Residential (R-3) and multi-family development (apartment) is a permitted use. Using City ordinances, the project is determined to be multi-family; therefore, maximum of 14 dwelling units per acre are applicable standards for R-3 to the project.

Section 106-839 – Minimum parking requirements are based on occupant use. Multi-family development (R-3) requires 1.5 parking spaces for one-bedroom unit and 2.5 parking spaces for two-bedroom units. In addition, the number of accessible parking spaces is determined based on the total number of parking spaces provided for the facility.

Project calculations are as follows:

No. of Units Proposed

One bedroom = 107 units
Two bedroom = 73 units

No. of Parking Spaces

One bedroom $107 \times 1.5 = 161$ parking spaces
Two bedroom $73 \times 2.5 = 183$ parking spaces

Parking Spaces Required = 344
Parking Spaces Proposed = 258

(86 less parking spaces than required or 1.4 parking spaces per unit)

Using the City's parking standards; the submitted plan does not meet the minimum requirements. Staff offered the following options to the applicant:

- Have a creative design to accomplish the parking along with amenities to the detention pond.
- Re-arrange the site layout to meet the number of parking spaces required;
- Submit a Variance Request to the Zoning Board of Adjustment to reduce the off-street parking requirement.

Citing Section 106-192 (b) (2) (b) of the Code of Ordinances, the applicant is seeking a variance to allow a reduction of the off-street parking spaces from 344 to 258 spaces. The applicant's reason for providing fewer parking spaces is that many of the residents will not have the ability or desire to drive. The applicant also contends that senior apartments are less intense than regular multi-family developments and require fewer spaces.

Currently, the site is undeveloped with an abundance of vegetation adjacent to Harris County Flood Control drainage channel to the east. To the northeast, the site is hampered by the pipeline easement. A proposed detention pond will outfall into a drainage easement to the south. Two points of ingress/egress along Canada Road are shown on the plan. The main entrance to the facility is designed with a boulevard or split median.

Analysis:

The Code of Ordinances defines a variance as: "a deviation from the literal provisions of this chapter which is granted by the board when strict conformity to this chapter would cause an unnecessary hardship because of the circumstances unique to the property on which the variance is granted.

Except as otherwise prohibited, the board is empowered to authorize a variance from a requirement of this chapter when the board finds that all of the following conditions have been met.

- a) That the granting of the variance will not be contrary to the public interest;
- b) That literal enforcement of this chapter will result in unnecessary hardship because of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation unique to the specific piece of property in question. “Unnecessary hardship” shall mean physical hardship relating to the property itself as distinguished from a hardship relating to convenience, financial considerations or caprice, and the hardship must not result from the applicant or property owner’s own actions; and
- c) That by granting the variance, the spirit of this chapter will be observed.”

The Board must decide if the applicant’s request for reducing the number of parking spaces by granting this variance will be contrary to public interest.

Minimum off-street parking requirements ensure that off-street parking areas are designed and located to protect public safety, minimize congestion, reduce solar heat gain, minimize traffic conflicts and congestion on parking aisles and public streets, and buffer surrounding land uses and public areas from visual and noise impacts.

The applicant believes the variance will prevent unnecessary impervious cover and retain many trees located on the north end of the development.

The property is not unique, but the designated zoning district creates a situation for this site. The front portion along Canada Road will remain zoned commercial. In the variance application, the applicant has stated that a detention pond is designed to serve future detention needs of the commercial reserves; however, the detention pond is not oversized to accommodate undeveloped commercial property in front of the proposed facility along Canada Road. In addition, an existing pipeline easement that runs through the north end of the subject site, presents design issues.

The current zoning ordinance would require a 1.91 space per unit parking ratio for a total of 344 spaces for this development. The developer indicates that with their previous senior developments, there is a parking ratio of 1.2 spaces per unit.

Staff researched several senior facilities to determine parking needs. Churchill Place Apartments, a senior's independent facility at 1201 S. Broadway was built in 2002. The Board of Adjustment granted a variance for reduction of parking spaces. Based on 72 units, the number of parking spaces required was 168. However, the City used the following method to calculate parking: $72 \text{ units} \times 1.25$, this yields 90 parking spaces. According to the office manager at the facility, parking is not an issue, as 50% of the residents have cars, and average age of the residents is 70.

Happy Harbor Senior independent apartments complex at 900 Parkway Street was built in the early 1980's. It consists of 48 one-bedroom units and three (3) two-bedroom units situated on more than one acre. This complex has approximately 47 spaces. According to the manager, 90% of the residents own cars; parking can be a problem, especially on the weekend. In Kemah, Lake Haven senior independent apartment complex has 144 units and 144 parking spaces situated on 16 acres. About 50% of the residents have cars; parking is not an issue.

Staff recognizes that Mariposa at Pecan Park is a development for the senior population. As mandated by the Texas Department of Housing and Community Affairs, an "Extended Use Period" is required on all new construction projects that receive tax credits. This means the property cannot be sold or leased to anyone but seniors for 40 years. Nonetheless, staff is concerned about action after the 40-year period ends. Without additional covenants/restrictions imposed on the property, it could revert to a "regular" multi-family use. If this happens, the building will not have adequate parking, and it could become a non-conforming structure.

Conclusion/

Recommendations:

Based on the facts outlined in this report, staff believes the request for a reduction in the off-street parking requirements may be considered with conditions. These conditions are recommended to ensure that granting a variance would not be contrary to the best public interest.

- ❖ Use the following method to calculate parking $180 \text{ units} \times 1.40$. This yields 252 spaces plus 7 accessible spaces for a total of 259 spaces.
- ❖ Covenants/restrictions are assigned to the property only allowing the land and structure to be used as senior apartment home community in perpetuity of the life of the structures.
- ❖ Identification of the Variance information (permit number, date of passage and any conditions) is noted on the major development site plan. This must be submitted to the City prior to approval and issuance of a building permit.

While recognizing the circumstances associated with this request, the Board could consider:

- Allowing the construction of proposed development with reduced number of parking spaces (variance granted).
- Allowing the construction of proposed development with strict compliance of the zoning ordinance to provide required number of parking spaces (variance denied).

Appeals:

As per Section 106-196 of the Code of Ordinances of the City of La Porte: Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any taxpayer, or any officer, department, board or bureau of the city may present to a court of record a petition for a writ of certiorari, as provided by V.T.C.A., Local Government Code Section 211.011, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten days after the filing of the decision in the office of the Board of Adjustment.

**CITY OF LA PORTE
ZONING BOARD OF ADJUSTMENT
VARIANCE REQUEST**

OFFICE USE ONLY: Fee: \$150.00 Application No.: 13-9300005
Date Received: 9-9-13
Receipt No.: 143405

Note: This fee is non-refundable regardless of the Board's decision

Applicant: Mariposa Pecan Park LP
Name
901 S. Mopac Expressway Bldg. 4, Ste. 180, Austin, TX 78746 512-220-8000
Address Phone

I am the owner of the herein described property. I have authorized Stuart Shaw
to act on my behalf in this matter.

Owner*: F81 Investments No 15, LLC
Name
4650 Center Street, Deer Park, TX 281-479-1400
Address Phone

I am requesting a variance to Sect. 839 of the City zoning regulations Chapter 106 of the Code of Ordinances.
I am requesting this variance for property located at _____ Street Address
tracts 692C, 693 B, 706 and 707 La Porte Outlots, 12.97 acres
Legal Description

- Site Plan Minor Development Site Plan
 Major Development Site Plan General Plan

A Site Plan of the property is attached. Also, I have listed the information requested below on the following pages of this form.

- a) All facts concerning the matter that has led up to this request.
- b) The type of relief I am seeking (setbacks, lot coverage, etc.).
- c) The grounds upon which I am making this request.

* If applicant is NOT the owner, he must provide Authorization to act on the Owner's behalf.
9/9/2013 Bobby [Signature]
Date Applicant's Signature

Office Use Only
Site Plan and Authorization (if applicable) attached? Yes No [Signature]
Authorized Representative

Date transmitted to the Board of Adjustment: _____

Meeting Date: _____ Applicant Notified of Date: _____

Notice to surrounding property owners- Date: _____

Board's Decision: Approved Denied

Notice of Boards Decision mailed to Applicant/Owner: _____

FACTS RELEVANT TO THIS MATTER:

Stuart Shaw and Bonner Carrington LLC (BC), on behalf of Mariposa Pecan Park (the Applicant), is seeking a variance to the minimum number of parking spaces required for Mariposa Pecan Park, a 180 unit senior (55+) apartment home community in La Porte, Texas. BC has developed several other senior communities in the state of Texas and has extensively studied parking requirements for senior apartment home communities. BC strives is sensitive about how we design so that we adequately serve our residents and we respect the environment by not over building the number parking spaces in senior communities because often times they will sit empty.

Several years ago when BC developed its first senior (55+) apartment community in San Marcos, Texas, our team performed an extensive study to determine the appropriate number of parking for senior communities. Our team visited similar senior apartment communities that were fully occupied all times of the day and night and physically counted cars in the parking lots. What we found was that the number of cars in the parking lots were about the same as the number of units. One community that our team visited extensively contained approximately 200 units and at no time were there more than 200 cars on site.

The BC team determined that there are a few reasons for why senior communities use fewer parking spaces. First, the average resident is over 70 years old. BC communities for seniors are designed for retirement living so it is not uncommon to see seniors relocating to a maintenance free living situation after the loss of a spouse. In fact, many residents will be single and may or may not keep a car. Second, a majority of our residents will not be employed and will spend a majority of their time at Mariposa. There will be some apartment homes that will have two residents, usually couples, who will not need a second car because they are trying to minimize the cost of living by maintaining one car for the household. Finally there will be residents who choose not to have a car at all because they may not be comfortable driving or are not able to drive. Residents without a vehicle usually rely on friends and relatives to help them get around town.

TYPE OF RELIEF BEING SOUGHT:

Below is a table showing the current parking that we have built for all existing BC senior communities. All of these communities are fully occupied and the amount of parking has proven to be adequate for each community. Our team has found that appropriate parking for senior apartment communities is 1.2 spaces per unit. The current zoning ordinance for the Mariposa Pecan Park site would require a 1.91 space per unit parking ratio for a total of 344 spaces for a 180 unit senior community. We are requesting a parking ratio of 1.3 spaces per unit for a minimum of 234 parking spaces to be required at Mariposa Apartment Homes at Pecan Park.

| Community | Location | Number of Units in Project | Total Parking Spaces | Ratio of Total Spaces to Units |
|--|----------------|----------------------------|----------------------|--------------------------------|
| Mariposa Hunter Road | San Marcos | 182 | 211 | 1.16 |
| Mariposa River Bend | Georgetown | 201 | 257 | 1.28 |
| Mariposa Reed Road | Houston | 180 | 263 | 1.46 |
| Mariposa Jason Ave | Amarillo | 96 | 121 | 1.26 |
| Mariposa Ella Blvd. | Houston | 182 | 249 | 1.37 |
| Mariposa Elk Drive (1) | Burleson | 180 | 234 | 1.30 |
| Mariposa Bay Colony (Code) | League City | 180 | 317 | 1.76 |
| Mariposa Bay Colony (Senior Appropriate) | League City | 180 | 251 | 1.40 |
| Mariposa Pecan Park (Code) | La Porte | 180 | 344 | 1.91 |
| Mariposa Pecan Park (Senior Appropriate) | La Porte | 180 | 234 | 1.30 |
| Mariposa - TYPICAL SENIOR APPROPRIATE | TYPICAL | 180 | 216 | 1.20 |

Footnote:

(1) City of Burleson City Council just approved 1.3 parking ratio for Mariposa at Elk Drive "sister property" in Burleson, Texas.

GROUNDS FOR THIS REQUEST:

1) The variance must not be contrary to the public interest.

The Applicant believes this variance request is not contrary to public interest. The site plan has evaluated and taken efforts to preserve much of the native trees on site while providing adequate parking for the senior residents. The BC team and the Applicant intend to make Mariposa Pecan Park a beautiful addition to the La Porte community. This variance will prevent unnecessary impervious cover and allow Mariposa at Pecan Park to save many large trees on the north end of the community.

2) Literal enforcement of the Zoning Ordinance must result in a hardship. This hardship must be unique to the property in question. Property that is undevelopable due to its unusual shape, narrowness, shallowness, or topography constitutes the primary example of hardship. Hardships that are financial in nature or due to the owner's actions cannot be granted.

The 12.97 acre site has a few unchangeable properties that impact the site plan for Mariposa Pecan Park. First, there is an existing median cut in Canada Road at the south entrance to Pecan Park. This existing median cut requires the Applicant to place the entrance and front door to Mariposa Pecan Park directly in the middle of the property. Second, the detention pond for the 12.97 acre site is being designed to serve the future detention needs of the remaining commercial pad sites that sit between the proposed Mariposa at Pecan Park site and Canada Road. In addition to oversizing the detention pond for the pad sites the Applicant placed the detention pond in the only area that could have access to both the City controlled drainage facility to the south and the Harris County drainage facility to the east. Third, there is an existing pipeline easement that runs through the north end of the site, which presents a number of site design issues. The placement of buildings, drives and parking all have been placed in respect to these existing properties and make the existing parking requirements per the R-3 zoning ordinance infeasible to be constructed as adjacent parking. In order to satisfy the ordinance, we would be required to construct a remote parking lot at the north end of the 12.97 acre site and would result in a tremendous loss of large trees that currently exist in that area that could be saved if a variance is granted. The current site plan takes the matters discussed above into account. The existing parking requirements of the R-3 zoning ordinance are impractical and frankly, infeasible if the City wishes to maintain the large trees currently located on the north side of the site and not construct what would be an empty remote parking lot. In addition, we believe the addition of this remote parking lot would result in a hardship for the community because of the additional, unnecessary impervious coverage that will be added and vegetation that will be lost.

3) Granting the variance must not violate the spirit of the Zoning Ordinance.

The granting of this variance does not violate the spirit of the zoning ordinance, as it is fully our intention to provide adequate parking for the senior residents. As long-term owners, BC and the Applicant have

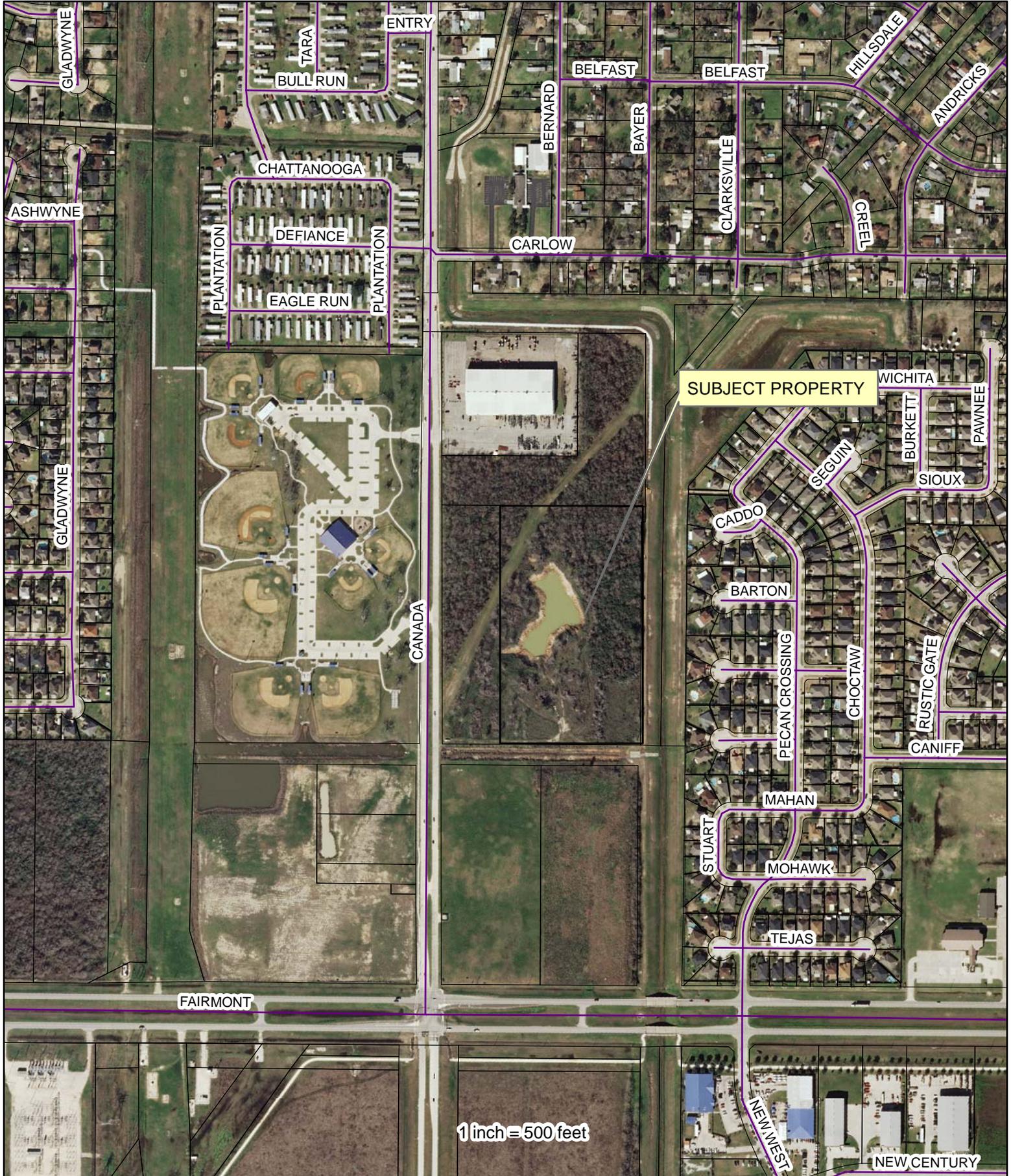
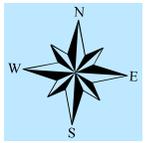
every motivation to design, construct and maintain our communities well. Mariposa Pecan Park will be a fantastic addition to our portfolio and a beautiful addition to the community of La Porte.

4) No variance that allows a use that is prohibited within the Use zone in question may be granted. For example, a variance allowing a commercial use in a residential zone is not allowable.

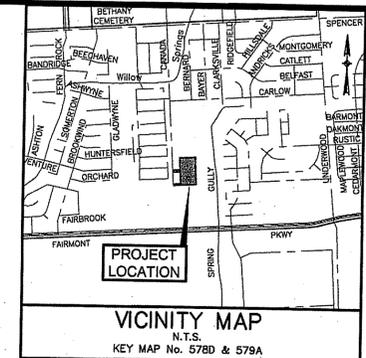
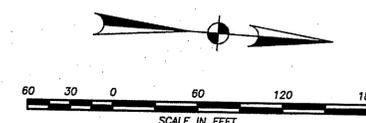
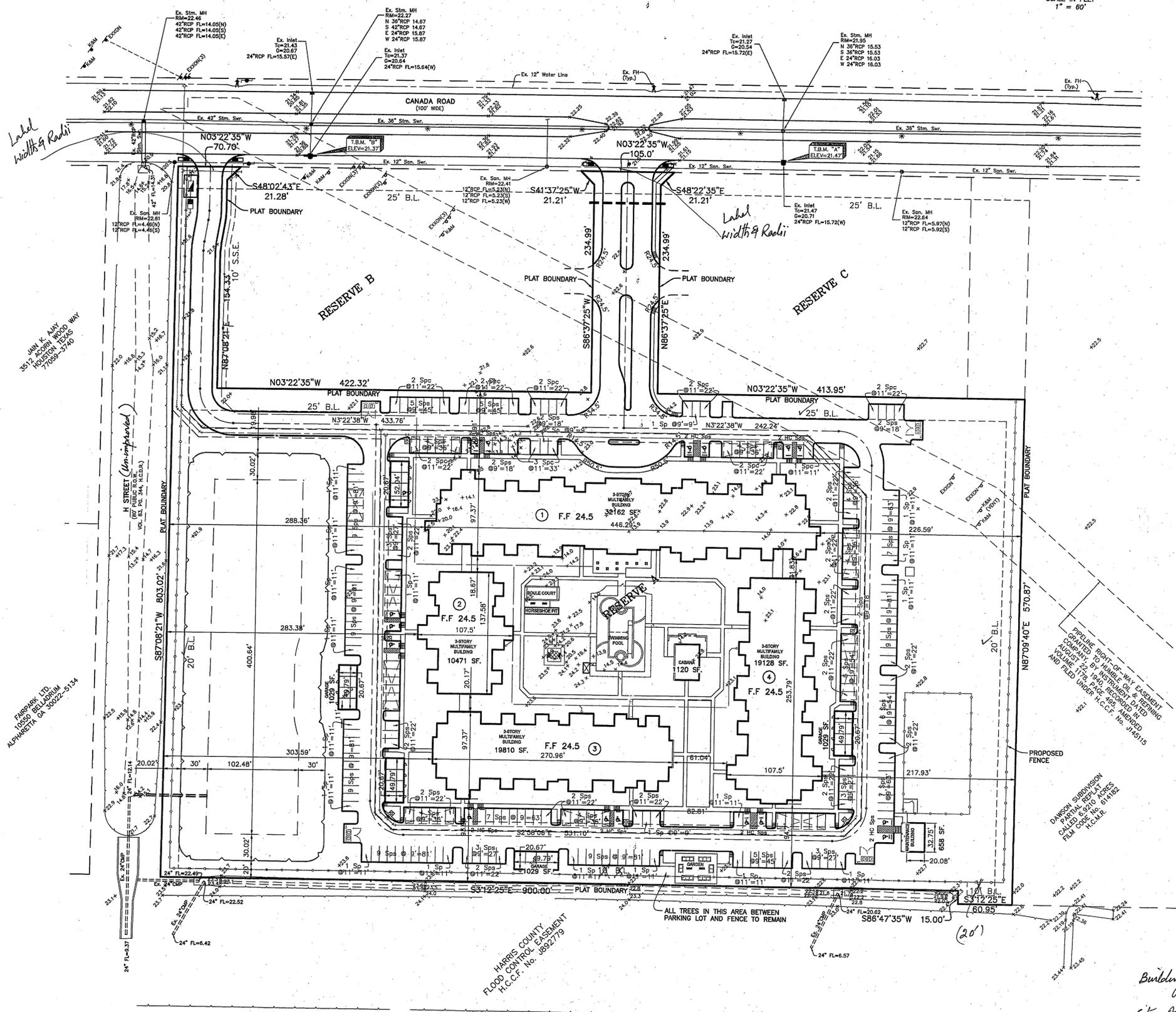
This variance request does not request a prohibited use within the R-3 zoning ordinance. The Applicant and BC are simply requesting that parking requirements for senior apartment homes be considered different than other general population apartment homes because of the types of residents that will be living there.

AREA MAP

VARIANCE REQUEST # 13-93000005



S:\3745-01 MARIPOSA AT PECAN PARK\CAD\EXHIBITS\PERFORMANCE EXHIBITS\3745.01_MSDP-1.DWG SEP_06_2013-9:08am JBRAND



BENCHMARK FLOODPLAIN RM No. 020275 A BRASS DISK STAMPED '020275' ON BRIDGE AT SPENCER HWY AND B112-02-00 LOCATED ON SOUTH BRIDGE ABUTMENT, AT THE SW CORNER OF THE BRIDGE, EAST OF ARMOUR JOINT IN KEY MAP 539W IN THE ARMAND BAYOU WATERSHED NEAR STREAM B112-02-00 ELEV=23.93 FEET NAVD 1988, 2001 ADJUSTMENT.

FLOODPLAIN: ENTIRELY IN SHADED ZONE 'X'. PANEL 48201C0940L DATED JUNE 18, 2007.

Shown Address: 3535 Canada Road

- MAJOR DEVELOPMENT SITE PLAN SHEET INDEX
1. SITE PLAN
2. STORM SEWER AND DETENTION BASIN
3. WATER AND SANITARY SEWER UTILITIES
4. LANDSCAPE PLAN

Add Legal Description N/HCAD #.

- GENERAL CONSTRUCTION NOTES
1. DIMENSION CONTROL PLAN PREPARED BY R.G. MILLER ENGINEERS, INC. TO BE USED IN CONJUNCTION WITH THIS PLAN FOR LOCATING ALL IMPROVEMENTS.
2. ALL UNDERGROUND UTILITIES SHOWN ARE NOT GUARANTEED TO BE COMPLETE OR DEFINITE, BUT WERE OBTAINED FROM THE BEST INFORMATION AVAILABLE.
3. CONTRACTOR TO VERIFY ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION.
4. THE LOCATION OF ALL UTILITIES PRESENTED ON THESE DRAWINGS IS 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 BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE THESE UNDERGROUND UTILITIES.
5. CONTRACTOR TO OBTAIN ALL PERMITS AND APPROVALS REQUIRED PRIOR TO STARTING CONSTRUCTION OF UTILITIES OR WORK IN THE COUNTY STREET RIGHT-OF-WAY.

FLOOD STATEMENT: This tract is in Flood Zone Shaded zone 'X' and not within the 100-year Flood Plain according to the FEMA Map # 48201C0940L - Dated June 18, 2007.

CITY-APPROVING AUTHORITY CERTIFICATE: This is to certify that the City of La Porte, Texas has approved this site plan and development of the same in conformance with the Ordinances of the City of La Porte.

TEXAS REGISTRATION No. 5745: I, (Brian E. Wilson), am registered under the laws of the State of Texas to practice the profession of engineering (or surveying) and hereby certify that above plat or site plan is true and correct, and that all bearings, distances, angles, curve radiuses, and central angles are accurately shown on the plat.

- PAVING NOTES:
1. PARKING SPACE PAVEMENT: 5" CONCRETE - #3 BARS @ 15" C-C, 6" LIME STABILIZED W/6% DRY WEIGHT LIME
2. DRIVE ISLE PAVEMENT: 6" CONCRETE - #4 BARS @ 15" C-C, 6" LIME STABILIZED W/6% DRY WEIGHT LIME
3. DUMPSTER AREA PAVEMENT: 7" CONCRETE - #4 BARS @ 15" C-C, 6" LIME STABILIZED W/6% DRY WEIGHT LIME

Table with 2 columns: EXISTING TREES, TREES TO REMAIN, TREES TO BE REMOVED. Values: TBD, TBD, TBD.

1 BEDROOM: 107 UNITS, REQUIRED PARKING 107x1.5=161 SPACES
2 BEDROOM: 73 UNITS, REQUIRED PARKING 73x2.5=183 SPACES

PARKING TABLE: PARKING 344, PROVIDED 258; ADA PARKING 7, 7.

Zoning: High Density Residential (R-3)

OWNER NAME: BONNER CARRINGTON LLC
DEVELOPER NAME: BONNER CARRINGTON LLC

RECEIVED SEP 06 2013



Building Lines: F-R-S
City Approving Authority Certificate (Pg 2)

Vertical title block containing project name 'MARIPOSA AT PECAN PARK APARTMENTS', location 'CITY OF LA PORTE, TEXAS', acreage '12.969 ACRE', and engineering firm 'r.g.miller engineers'.

Sec. 106-839. Number of spaces required.

The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. Such required parking shall include the required number of handicapped parking spaces as regulated by the city building code, and the Southern Standard Building Code.

| <i>Uses (SIC Code)</i> | <i>Number of Parking Spaces*</i> | <i>Required for Each</i> |
|--|--------------------------------------|------------------------------------|
| Single-family, attached or detached townhouses, duplexes, manufactured housing, patio homes, modular housing and up to four unit multifamily | 2 | dwelling unit |
| Multifamily including condominiums | 1 | efficiency unit |
| | 1.5 | 1 bedroom |
| | 2.5 | 2 bedrooms |
| | 3 | 3 or more bedrooms |
| Group care facilities | 1 | 4 beds |
| | 1 | staff member or employee |
| Day care centers | 1 | 5 children |
| | 1 | staff member |
| | <i>10 Minimum, Plus</i> | |
| Recreational buildings, private clubs, community centers | 1 | 200 s.f. in excess of 2,000 s.f. |
| Libraries, museums | 1 | 1,000 s.f. in excess of 2,000 s.f. |
| Religious institutions, theaters, auditoriums | 1 | 4 seats in assembly hall |
| Public or private educational, elementary, and junior high | 1 | 20 students |
| | 1 | staff member |
| Senior high school | 1 | 4 students |
| | 1 | staff member |
| Governmental and public utility buildings and office structures | 1 | 300 s.f. of |
| Colleges and technical institutes | 1 | 1.5 students |
| | 1 | staff member |