



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>April 27, 2026</u>
Requested By: <u>Ryan Hvitlök, Planning Director</u>
Department: <u>Planning and Development</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No

**Exhibits:** Traffic Impact Assessment; Stormwater Detention Analysis, Noise Analysis; Ordinance 2025-4036 (Proposed SCUP); PZ Recommendation Letter; P&Z Staff Report; Aerial Map; Zoning Map; FLUP Map; Notification Map; Site Photos; Application; Site Plan; Legal Ad

### SUMMARY & RECOMMENDATION

**\*\* Please note that SCUP-2024-0003 was replaced by SCUP-2026-0001, the projects are the same.**

The applicant, Mario Lanza/ M Lanza Engineering, PLLC, on behalf of 925 Fairmont Lakes, property owner, is seeking approval of a Special Conditional Use Permit (SCUP) to allow a residential subdivision including 204 lots within the Planned Unit Development (PUD) zoning district. The subject property, generally located at the northeast corner of Wharton Weems Blvd. and SH 146 includes approximately 56.75 acres of land.

The proposed subdivision will consist of a variety of lot sizes, with the typical lot size of 50 feet x 125'. Proposed lots will range from 6,005.95 square feet (Block 2, Lots 9 and 12) for the smallest lot size, to 16,291.05 square feet (Block 1, Lot 39) for the largest lot size. The one deviation the applicant is requesting is to reduce the front setback from the required 25 feet to 20 feet on 16 lots (Block 1, Lots 22-26; Block 2, Lots 8-13 and 30-34). The reason for the request is because the subject lots are located within a cul-de-sac. This development will offer two access points: one from SH 146 to the west and another from Wharton Weems Blvd. to the south.

The applicant proposes 1.9 acres of landscaping and open space, 9.6 acres of detention, including a jogging trail around the detention basin, and 2.7 acres of parkland. An 8-foot sound wall or a 6-foot sound wall atop a two-foot landscaped berm (for a total height of 8 feet) is proposed along SH 146 and Wharton Weems for sound mitigation. The proposed jogging trail surrounding the detention pond is to be constructed of concrete, a minimum of 5 feet in width. Additional amenities will include fifteen (15) benches and 3 pet waste stations along the proposed trail and entry feature signage along the Wharton Weems entry into the development with an irrigated landscape area.

As part of the SCUP application, the applicant has requested a deviation from the required 25-foot setback. The applicant is requesting a reduction to a 20-foot front setback for 16 lots out of the total 204 lots.

### **BACKGROUND**

This application has been under consideration and revision since November 2024. A timeline for Planning & Zoning Commission and City Council actions is outlined below:

- **November 21, 2024**, the La Porte Planning and Zoning Commission held a public hearing regarding this application. The Planning and Zoning Commission voted on a motion to recommend approval of SCUP-2024-0003, with an amendment to remove the proposed deviation that would have allowed an increase in the cul-de-sac length on Block 1 from 600 feet to 696.59 feet. The motion passed 8-0.
- **January 27, 2025**, the La Porte City Council held a public hearing regarding this application. During the discussion, a Councilmember raised the concept of prohibiting corporate housing within the development. The City Attorney determined that corporate housing could be prohibited within the development, as that use is a separate NAICS code which is classified as a subset of NAICS 721310 – Rooming and Boarding Houses. The proposed SCUP was amended to address this concern.

Additional concerns were also raised regarding the proposed development's impacts on current and future residents as it relates to the proposed entrance location, drainage, and the feasibility of a 12-foot soundwall along the western and southern boundaries of the property as opposed to an 8-foot soundwall. A motion was made to table the item pending the completion of engineered studies that would more fully address these issues.

- **December 8, 2025**, the City Council held a public hearing regarding this application. The applicant provided a response to the City Council's concerns including 1) a previously TxDOT-approved Traffic Impact Assessment from 2024, which included the previous driveway configuration from Wharton Weems Blvd.; 2) a sound study which studied a 6-foot and an 8-foot sound wall along SH 146 and Wharton Weems Blvd.; 3) a drainage study which was not reviewed by Cobb Fendley. The applicant also provided a revised site plan. City Council remanded the application back to the Planning & Zoning Commission to review the revised site plan and proposal.
- **January 15, 2026**, the Planning and Zoning Commission held a public hearing regarding the revised site plan and proposal. Discussion was held regarding Council's request for a 12-foot sound wall study, revised TIA, and drainage. The Planning & Zoning Commission voted to recommend approval of the revised proposal to City Council with a vote of 9-0.
- **February 19, 2026**, the Planning and Zoning Commission held a discussion on a potential reconsideration of their January 15, 2026 recommendation for approval. The request was based on staff receiving concerns that there was confusion with a question whether a 12-foot sound wall study was requested from City Council at

their December 8, 2025 meeting. Staff reviewed the recording of the December 8, 2025 meeting and determined that no official direction from the City Council was provided regarding a study of a 12-foot sound wall. Staff reviewed previous records and determined that the official request was provided at the January 27, 2025 City Council meeting. The Planning and Zoning Commission voted to deny a motion to place the project back on a future agenda with a vote of 3-6.

Based on City Council's concerns from previous meetings the applicant has provided the following responses:

**1. Traffic Analysis/Entrance Location**

City Council requested a traffic impact analysis with specific direction to evaluate the feasibility of relocating the proposed entrance approximately 300 feet to the east. Councilmembers emphasized the need for the study to clearly explain the reasoning behind whether the entrance can or cannot be relocated and to evaluate any other viable placement options. The applicant agreed to pursue the study.

**Applicant Response:** The applicant provided a TxDOT-approved Traffic Impact Assessment (TIA), dated December 22, 2025. The revised analysis shows the relocated driveway further east on Wharton Weems as requested by the City Council. The TIA concluded that the proposed development will not cause any significant additional impact on the roadway network or intersections beyond a recommended left turn-lane on Wharton Weems for the eastern entrance into the development. An approved TxDOT driveway permit, dated February 20, 2026, was submitted for the Wharton Weems entrance to the development.

**Staff Analysis:** Staff has reviewed the proposed circulation and traffic improvements for the development and concurs with TxDOT's approval of the proposed plan. The Wharton Weems entrance has been moved further east away from the primary entrance to the Lakes of Fairmont Green (Fairmont Greens Pkwy.) to reduce potential conflicts. The proposed Wharton Weems entrance aligns with the secondary entrance of the Lakes at Fairmont Green at Fairway Drive. Traffic engineering standards and TxDOT both discourage the use of off-set intersections, especially along higher volume roads such as Wharton Weems Blvd.

**2. Soundwall Height (8 feet vs. 12 feet)**

Councilmembers requested that the height of the proposed soundwall along the western and southern boundary of the property increase from 8 feet to 12 feet in height.

**Applicant Response:** The applicant provided a Noise Analysis Technical Report dated March 2026 that studied a 6-foot, 8-foot, and 12-foot wall. Per the provided sound study which determined that a ***“6-foot sound wall would offer limited noise reduction, while an 8-foot sound wall would fully meet the applicable noise abatement criteria. Therefore, installation of a 12-foot sound wall is not justified.”***

**Staff Analysis:** The noise analysis provided was reviewed based on TxDOT's (Federal Highway Administration - FHWA approved) noise abatement standards for roadway noise. The FHWA noise abatement standard for residential uses is 67 dB(a). The noise analysis provided shows that both no sound wall and a six-foot wall would exceed the FHWA noise standard of 67 dB(A) at 12 to 13 receiver locations. An 8-foot wall would mitigate the roadway noise below the FHWA noise standards at all receiver locations. A 12-foot sound wall would provide minimum additional sound mitigation, 1 to 4 dB(A), when compared to an 8-foot wall. Due to wind load and building code requirements, the engineering differences between an 8-foot and a 12-foot wall would be substantial. A 12-foot wall would require double the foundation depth and width of an 8-foot wall. Furthermore, the developer would have to provide a geotechnical report for the 12-foot wall due to the depth of the foundation. In staff's opinion, the additional sound mitigation benefit of a 12-foot wall does not outweigh the additional construction requirements nor the visual impact for the residents with the higher wall in their backyard.

### **3. Stormwater Detention Analysis**

City Council requested that a drainage study be completed and the results brought back to City Council for review. City Council expressed a preference for the study to be prepared by Cobb Fendley. The applicant indicated that the developer would have to make that decision.

**Applicant Response:** The applicant provided a drainage study prepared by M Lanza Engineering, PLLC dated 3/19/2026. The study was thoroughly reviewed by Cobb Fendley, which after several reviews and revisions determined the drainage study will meet the City's drainage criteria.

**Staff Analysis:** The city's engineer Cobb Fendley completed their review of the applicant's drainage study on April 6, 2026 with no additional comments or concerns. Staff determined that the proposed development along with the proposed drainage infrastructure will not have an adverse effect on the drainage in the area. The drainage study was found to have met the City of La Porte's stormwater requirements.

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## **STRATEGIC PLAN STRATEGY AND GOAL**

*Governance: The City of La Porte is governed in a transparent, efficient, accountable, and responsive manner on behalf of citizens that actively promotes citizen involvement.*

*Economic Development: The City of La Porte will promote a strong and diverse economy that strengthens the local sales tax and property tax base while also contributing to a high quality of life.*

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**ACTION REQUIRED BY CITY COUNCIL**

**Approve or deny Ordinance 2025-4036 for SCUP-2026-0001 to allow a 204-lot single-family subdivision on 56.75 acres of land located at the northeast corner of Wharton Weems Blvd. and SH-146, legally described as TR 5 ABST 30 W P HARRIS, TR 5L ABST 30 W P HARRIS, TR 1M ABST 35 J HUNTER, and LTS 1 THRU 32 BLK 1267 & TR 33 LA PORTE; Harris County, Texas.**

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**Approved for the City Council meeting agenda**

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**Corby D. Alexander, City Manager**

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**Date**