



PLANNING BOARD MEETING - MAY 2, 2022

Monday, May 02, 2022 at 5:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

AGENDA

Planning Board will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the Planning Board of the City of Port Lavaca, Texas, will hold a meeting Monday, May 2, 2021 beginning at 5:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application "ZOOM".

Join Zoom Meeting:

<https://us02web.zoom.us/j/84169261536?pwd=YmxoWURUWUk5TmQ3MU5NNm41V1Fadz09>

Meeting ID: 841 6926 1536

Passcode: 972187

One tap mobile

+13462487799,,84169261536#,,,,*972187# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

1. Approval of March 7, 2022 meeting minutes.
2. Approval of April Special Meeting minutes.

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

3. Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 30 ft. high freestanding pole sign with a 100 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

PUBLIC COMMENTS- You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation.

ADJOURN

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The Planning Board of The City of Port Lavaca, scheduled for **Monday, May 2, 2022**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, April 29, 2022**.

Sara Sanchez, *Permit Clerk*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: Approval of March 7, 2022 meeting minutes.

INFORMATION:



PLANNING BOARD MEETING - MARCH 2022

Monday, March 07, 2022 at 5:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application “ZOOM”. The Planning Board meeting begins at 5:30 PM central time on the first Monday of every month. You may make public comments in-person and on Zoom by logging on with your computer and/or smart phone as described in the Zoom invitation.

This March 7, 2022, meeting was a regular Planning Board meeting.

ROLL CALL

PRESENT

Chairman Mike Elgin
Board Member Mark Howell
Board Member Betty Birdwell

ABSENT

Board Member Justin Weaver
Board Member Sheryl Cuellar
Board Member Gary Crone

Constituting a quorum for the transaction of business, at which time the following business was transacted:

APPROVAL OF MINUTES

ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

1. Consider and discuss approval of a conceptual daycare. To be located to at 511 S. Virginia.
Board member Birdwell made a motion

THAT the Planning Board hereby approve the conceptual daycare to be located at 511 S Virginia.

Board member Howell seconded the motion

Motion passed by the following vote:

AYES: Chairman Elgin, Board Member Howell, Board Member Birdwell

NAYES: None

PUBLIC COMMENTS - Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered.

No public comments.

ADJOURN

Motion made by Board Member Birdwell.

Seconded by Board Member Howell

AYES: Chairman Elgin, Board Member Howell, Board Member Birdwell

NAYES: None

These minutes were approved on May 2, 2022

Mike Elgin, Chairman of the Planning Board

Sara Sanchez, Permit Clerk

COMMUNICATION

SUBJECT: Approval of April Special Meeting minutes.

INFORMATION:



APRIL PLANNING BOARD MEETING - SPECIAL MEETING

Monday, April 11, 2022 at 5:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application “ZOOM”. The Planning Board meeting begins at 5:30 PM central time on the first Monday of every month. You may make public comments in-person and on Zoom by logging on with your computer and/or smart phone as described in the Zoom invitation.

This April 11, 2022, meeting was a special Planning Board meeting.

ROLL CALL

PRESENT

Chairman Mike Elgin
Board Member Justin Weaver
Board Member Sheryl Cuellar
Board Member Betty Birdwell
Board Member Lindy Cain

ABSENT

Board Member Gary Crone

Constituting a quorum for the transaction of business, at which time the following business was transacted:

CALL TO ORDER

Board Chairman Mike Elgin called the meeting to order and presided.

APPROVAL OF MINUTES - *No minutes to approve for this special meeting.*

ACTION ITEMS

1. Consider and discuss the approval of a Preliminary Plat for the Calhoun County Independent School District (CCISD) FEMA DOME development, being a 11.572 acre tract of land situated in the Maximo Sanchez League No. 35 Calhoun County, Texas. Being a portion of a 45.13 acre tract of land. PIN # 37865.

Motion made by Board Member Weaver:

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to approve the Preliminary Plat for the Calhoun County Independent

Seconded by Board Member Birdwell.

AYES: Chairman Elgin, Board Member Weaver, Board Member Birdwell

NATES: None

2. Consider and discuss the approval of a Final Plat for the Calhoun County Independent School District (CCISD) FEMA DOME development, being a 11.572 acre tract of land situated in the Maximo Sanchez League No. 35 Calhoun County, Texas. Being a portion of a 45.13 acre tract of land. PIN # 37865.

Motion made by Board Member Weaver:

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to approve the Final Plat for the Calhoun County Independent

Seconded by Board Member Birdwell.

AYES: Chairman Elgin, Board Member Weaver, Board Member Birdwell

NATES: None

ADJOURN

Motion made by Board Member Weaver.

Seconded by Board Member Birdwell.

Voting Yea: Chairman Elgin, Board Member Cuellar, Board Member Birdwell, Board Member Weaver

These minutes were approved on May 2, 2022

Mike Elgin, Chairman of the Planning Board

Sara Sanchez, Permit Clerk

COMMUNICATION

SUBJECT: Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 30 ft. high freestanding pole sign with a 100 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

INFORMATION:

CITY OF PORT LAVACA

MEETING: May 2, 2022 AGENDA ITEM _____

DATE: 04/25/2022

TO: PLANNING BOARD

FROM: PERMIT DEPARMENT

SUBJECT: Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 30 ft. high freestanding pole sign with a 100 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

Chapter 36 – SIGNS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH36SI

Sec. 36-6. - On-premises signs.

(a) Freestanding signs shall be subject to the following:

- (2) The maximum allowable effective area for freestanding signs will be 60 square feet.
- (3) Multifaced signs shall have a maximum effective area of 180 square feet.
- (4) The maximum allowable height shall not exceed 20 feet.

The Prosperity Bank sign variance request is for a 30 ft. high freestanding pole sign with an approximate 130 sq. ft. surface area.

Applicant's reason for request: DIRECT HARDSHIP ON THE BUSINESS

Prosperity Bank's hardship for this location and the need for the increased height and allowed square footage on the pylon sign is due to the lack of visibility for their business due to the power lines on the property. Prosperity Bank would like to increase the height of the pylon to 30ft. overall height pylon with approximately 130 sq. ft. main-id cabinet due to the proximity of the highway and to give their customers better visibility of the location. According to the applicant, this request is similar to the Wal-Mart pylon located directly across on TX-35.

In September of 2021 the Planning Board denied the variance request made by Prosperity bank for a 75ft high freestanding sign with a 360 square foot surface area, similar to that of Whataburger. The Planning Board made this decision so as not to set precedent for future city growth.

In June of 2016 the City Council approved the Whataburger variance for the 75 ft. freestanding pole sign with a 355 sq. ft. surface area. Consideration was given to this variance, as this sign dimension was the prior Whataburger sign dimension in their former location. Therefore, it was reviewed with a legal nonconforming use intent.

In August of 2014 the City Council approved a variance for the Port Lavaca Ford Dealership requesting to place a sign that is 47.5 ft in height.

The variance request represents a sign that is 30% greater than the maximum surface area and 20% greater than the sign code maximum height. The variance request represents a sign which is comparable to that which is existing across the highway at Wal-Mart.

Staff Recommendation: Approval

Because the proposed sign is comparable in height and area as the Walk-Mart sign across the highway, staff recommends approval of this variance request for the proposed Prosperity Bank sign, to be 30 ft in height with an approximate 130 sf surface area as shown in the attached sketch..

Attachments:

- Sign Variance Request – Prosperity Bank – Port Lavaca TX.PDF
- Exhibit comparing proposed sign with Wal-Mart sign

City of Port Lavaca Request for Variance

Date: April 13, 2022

Name: Prosperity Bank-Port Lavaca

Address: 1107-N Tx 35

Variance being requested: Larger pylon sign for visibility

Reason for

request: Prosperity Bank is requesting the following variances for a pylon sign

Variance 1: Increased height from the allowed 20' to 30'.

Variance 2: Increased the effective area (face) of the sign from allowed 60 sq. ft.
to approximated 100 sq. ft

The request of these two variances are similiar to the Wal-Mart pylon

directly across on Tx-35. This is a much smaller sign than the Whataburger
sign previously discussed



Signature

William Key, President-BLS Construction

979.637.0427

Phone number

Date of Planning Board: May 2, 2022

Received by: _____

