



PLANNING BOARD MEETING

Tuesday, May 28, 2024 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 regular meeting Tuesday, May 28, 2024 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:

Join Zoom Meeting

<https://us02web.zoom.us/j/83058927592?pwd=aTdndDIWeHpWSkhKcVdaNGpZYVc4Zz09>

Meeting ID: 830 5892 7592

Passcode: 596116

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

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

1. Consider and discuss approval for a convenience store and carwash to be located on the corner of Half League Rd. and Hwy 35 Property ID 38066. The legal description is A0035 MAXIMO SANCHEZ, Tract Pt. 30, Acres 2.577 (1019 Hwy 35 S.).
2. Consider and discuss approval for a Resolution allowing the authority of approving, approving with conditions or disapproving certain plats to one or more officers of employees of the municipality.
3. To consider a Variance request for a manufactured home to be placed on a developed existing residential lot that is not a manufactured home park. The property is described as Block B, Lot 30, 15' of 29 of the Lou Davis Subdivision (302 Davis).

COMMENTS FROM THE PUBLIC

** (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 by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).*

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 **Tuesday, May 28, 2024**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, May 24, 2024**.

Derrick Smith, *Director of Development Services*

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: Consider and discuss approval for a convenience store and carwash to be located on the corner of Half League Rd. and Hwy 35 Property ID 38066. The legal description is A0035 MAXIMO SANCHEZ, Tract Pt. 30, Acres 2.577 (1019 Hwy 35 S.).

INFORMATION:



Application for Planning Board Review

(Required for all commercial / mixed use / residential more than 4 units ORD 42-159)

APPLICATION DATE: 4/17/2024

TO: PLANNING BOARD

FROM: Donny Shellenbarger PHONE: _____

SUBJECT: Speedy Stop 124 - Planning Board Concept Plan Review

ADDRESS: 1019 Hwy 35, Port Lavaca

SUMMARY DESCRIPTION:

Request meeting with planning board to review new convenience store and carwash layout before we proceed to full site design and engineering

LAND USE MAP: This area is shown as Commercial on the Future Land Use Map.

FLOOD ELEVATION: N/A **BASE ELEVATION STRUCTURE:** N/A

IS IT ON TXDOT HWY Yes / No (If so coordinate access & drainage with TXDOT)

PARKING ORD 48-106 & 48-107: Meets and exceeds all requirements

INCLUDE THE FOLLOWING:

- IP Copy of plat -> We have engaged Civil Corp for site civil engineering, and will be platting this site in process
- Conceptual plan with location of existing/new structures, parking, setbacks, drainage etc.
- Number of units proposed
- Location of city water/sewer (Owner pays for service extension over 35' if no meter on property)
- Location Fire Hydrant (hydrant within 250ft of property)

CITY OF PORT LAVACA

MEETING: May 28, 2024 AGENDA ITEM _____

DATE: 05.23.2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval for a convenience store and carwash to be located on the corner of Half League Rd. and Hwy 35 Property ID 38066. The legal description is A0035 MAXIMO SANCHEZ, Tract Pt. 30, Acres 2.577 (1019 Hwy 35 S.).

Sec. 42-159. - Approval of planning commission required.

No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The applicant is proposing a new convenience store and carwash to be located 1019 Hwy 35 S.

Future land Use Map

<https://portlavaca.org/wp-content/uploads/2020/10/Future-Land-Use-Plan.pdf>

The Future Land Use Map designates this area as Commercial.



Department Comments:

Engineering:

Public Works:

Fire:

Development Services:

Staff Recommendation: APPROVAL of the proposed convenience store and carwash to be located at the corner of Half League Rd. and Hwy 35 S. Property ID 38066 located at 1019 Hwy 35 S.

Attachments:

- CAD PIN #38066
- Conceptual site plan



ZEMANEK ARCHITECTURE + DESIGN
 107A EAST MAIN STREET
 JENKS, OK 74037
 T: 918.606.2090
 zemanekad.com

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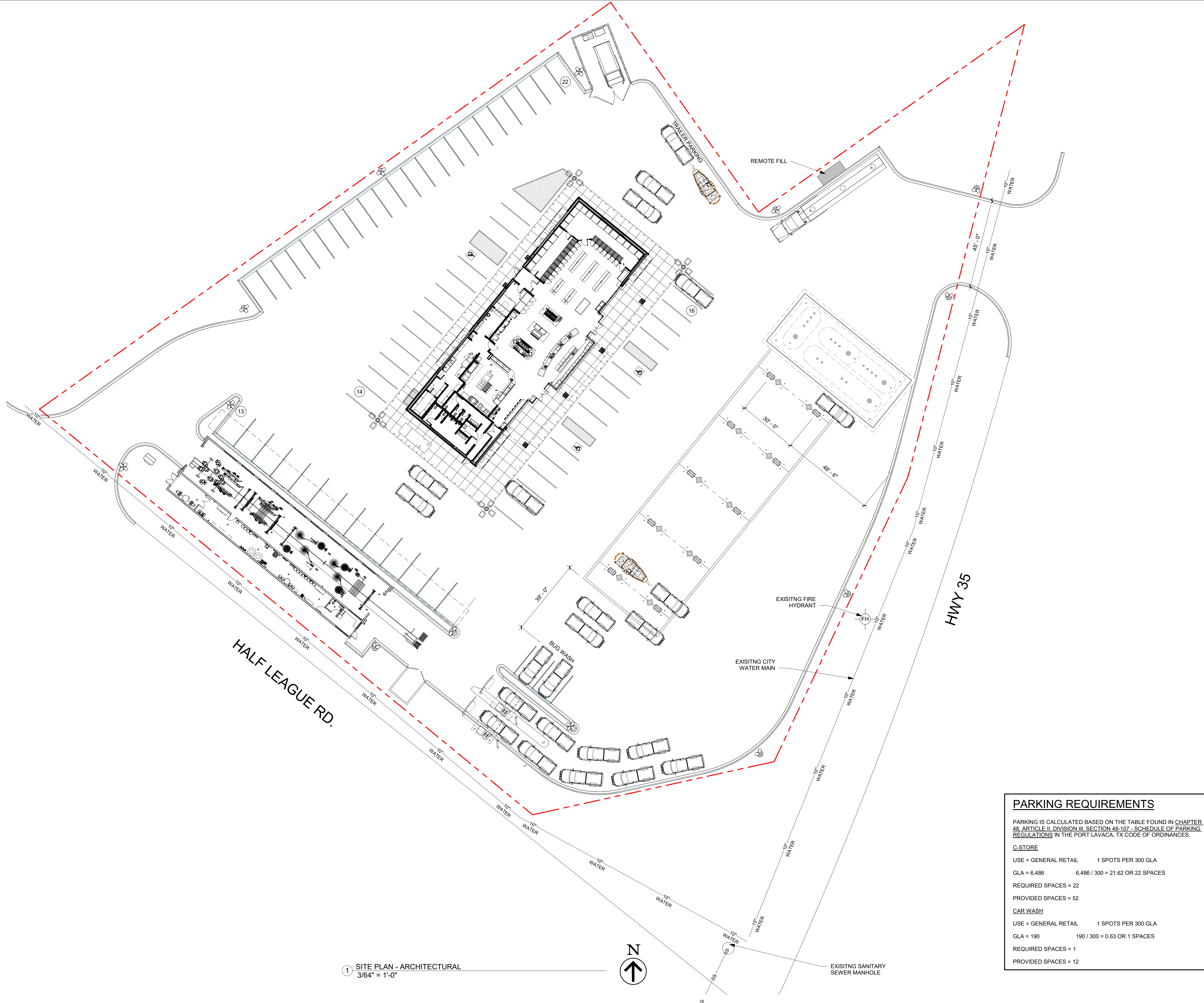
REVISIONS:

No	Description	Date

PROJECT NUMBER:
22056

SEAL:
NOT FOR CONSTRUCTION
 04.17.24

CONSULTANT:

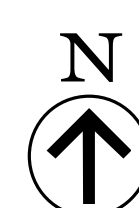


PARKING REQUIREMENTS

PARKING IS CALCULATED BASED ON THE TABLE FOUND IN CHAPTER 48, ARTICLE II, DIVISION III, SECTION 48-107 - SCHEDULE OF PARKING REGULATIONS IN THE PORT LAVACA, TX CODE OF ORDINANCES.

C-STORE	
USE = GENERAL RETAIL	1 SPOTS PER 300 GLA
GLA = 6,486	6,486 / 300 = 21.62 OR 22 SPACES
REQUIRED SPACES = 22	
PROVIDED SPACES = 52	
CAR WASH	
USE = GENERAL RETAIL	1 SPOTS PER 300 GLA
GLA = 190	190 / 300 = 0.63 OR 1 SPACES
REQUIRED SPACES = 1	
PROVIDED SPACES = 12	

1 SITE PLAN - ARCHITECTURAL
 3/64" = 1'-0"



Speedy Stop Food Stores, LLC
Speedy Stop 124
1019 TX-35
Port Lavaca, TX 77979

ISSUE DATE:
04.17.24

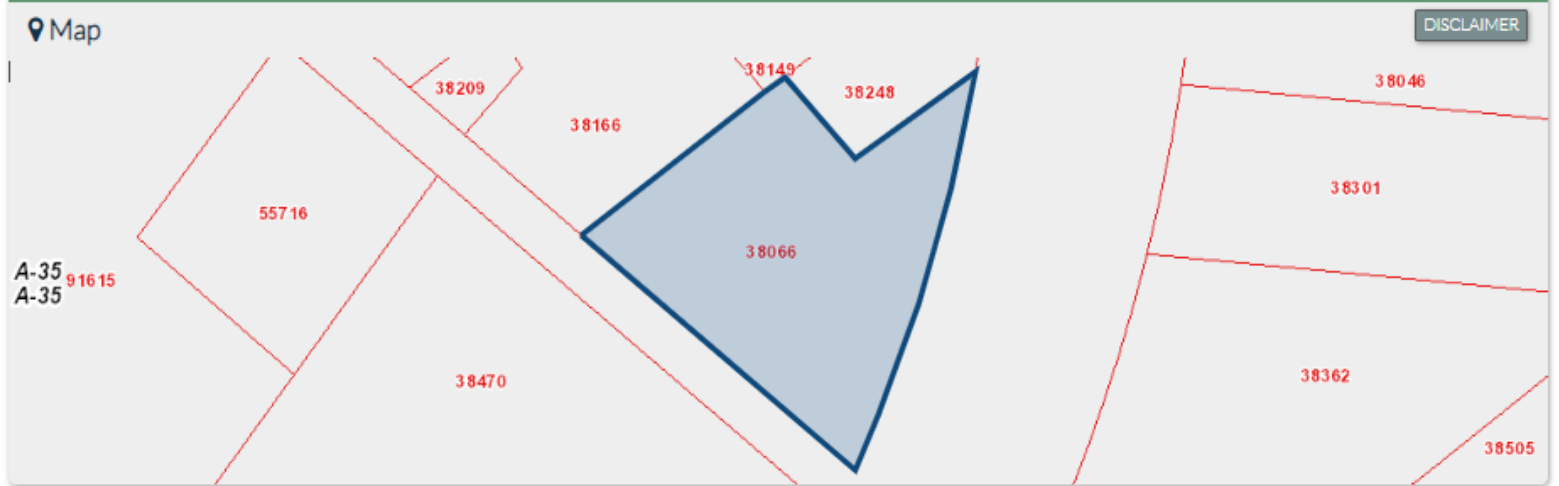
SHEET NUMBER:
MSP14
 PRELIM SITE

Property ID: 38066 For Year

2024

View Map

Print



Property Details		
Account		
Property ID:	38066	Geographic ID: A0035-00000-0146-00
Type:	Real	Zoning:
Property Use:	VL VACANT LAND	Condo:
Location		
Situs Address:	1019 HWY 35 S PORT LAVACA, TX 77979	
Map ID:	A0035-00090-0022-00	Mapsc0: 1550
Legal Description:	A0035 MAXIMO SANCHEZ, TRACT PT 30, ACRES 2.577	
Abstract/Subdivision:	A0035 - MAXIMO SANCHEZ	
Neighborhood:	1550	
Owner		
Owner ID:	55674	
Name:	SPEEDY STOP FOOD STORES	
Agent:		
Mailing Address:	PO BOX 1876 VICTORIA, TX 77902-1876	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

Property Values	
Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$207,670 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value	
Market Value:	\$207,670 (=)
Agricultural Value Loss:	\$0 (-)
Appraised Value	
Appraised Value:	\$207,670 (=)
Homestead Cap Loss:	\$0 (-)
Assessed Value	
Assessed Value:	\$207,670
Ag Use Value:	\$0

Values displayed are 2024 preliminary values and are subject to change prior to certification. Information provided for research purposes only.

COMMUNICATION

SUBJECT: Consider and discuss approval for a Resolution allowing the authority of approving, approving with conditions or disapproving certain plats to one or more officers of employees of the municipality.

INFORMATION:

CITY OF PORT LAVACA

MEETING: May 28, 2024 **AGENDA ITEM** _____

DATE: 05.23.2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval for a Resolution allowing the authority of approving, approving with conditions or disapproving certain plats to one or more officers of employees of the municipality.

The Texas Local Government Code (TLGC) §212.0065 provides that a planning board may delegate the authority of approving, approving with conditions or disapproving certain plats to one or more officers of employees of the municipality.

Staff’s recommendation is for the Planning Board of the City of Port Lavaca to delegate to the City Manager the authority to approve, approve with conditions or disapprove an amended plat pursuant to TLGC 212.016.

This will allow for expedited minor requests to be approved without the delay of public notices and meetings.

Staff Recommendation: APPROVAL of the Planning Board of the City of Port Lavaca to delegate to the City Manager the authority to approve, approve with conditions or disapprove an amended plat pursuant to TLGC 212.016.

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE AND SIGN THE AMENDING OF A PLAT

RESOLUTION NO. _____

A RESOLUTION DELEGATING THE AUTHORITY OF THE PLANNING COMMISSION/BOARD TO THE CITY MANAGER PURSUANT TO AUTHORITY OF TEXAS LOCAL GOVERNMENT CODE §212.0065 TO APPROVE AND SIGN THE AMENDING OF A PLAT IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §212.016.

WHEREAS, Texas Local Government Code (TLGC) §212.0065 provides that a planning board may delegate the authority of approving, approving with conditions or disapproving certain plats to one or more officers or employees of the municipality; and,

WHEREAS, the amending of a plat under TLGC §212.016 is allowing the amending of a plat due to a technical error on the plat and other limited circumstances;

WHEREAS, if the City Manager disapproves an amending plat, TLGC §212.0065 authorizes the requestor to appeal the City Manager’s decision to the Planning Commission/Board and/or the City Council, despite the delegation of the authority granted herein;

WHEREAS, for the efficiency of the processes of the City, the Planning Board desires to delegate the authority to the amending of a plat in accordance with TLGC 212.016 to the City Manager.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF PORT LAVACA, TEXAS:

The Planning Board of the City of Port Lavaca delegates to the City Manager the authority to approve, approve with conditions or disapprove an amended plat pursuant to TLGC 212.016.

PASSED AND APPROVED this the 13th day of May, 2024.

CITY OF PORT LAVACA, TEXAS
PLANNING BOARD

By: _____
Chairperson

COMMUNICATION

SUBJECT: To consider a Variance request for a manufactured home to be placed on a developed existing residential lot that is not a manufactured home park. The property is described as Block B, Lot 30, 15' of 29 of the Lou Davis Subdivision (302 Davis).

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: May 28, 2024 **AGENDA ITEM** _____

DATE: 05/23/2024

TO: PLANNING BOARD

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider a Variance request for a manufactured home to be placed on a developed existing residential lot that is not a manufactured home park. The property is described as Block B, Lot 30, 15' of 29 of the Lou Davis Subdivision (302 Davis).

Chapter 26 – Manufactured housing

In accordance with Chapter 26.4(2)(c) of City of Port Lavaca Code of Ordinances, HUD-Code manufactured housing shall be installed only in a manufactured housing park, manufactured housing subdivisions or other property approved by the building official as described in the remainder of this subsection. A HUD-Code manufactured home will be permitted to be installed on any lot on which a manufactured home was situated in the past 180 days.

Karl Meyer is requesting a variance to place a manufactured home on 302 Davis. Mr. Meyer's variance application explains that a manufactured home had previously been placed on the property. According to our records, service was discontinued on August 30, 2021 and the manufactured home was removed during that time. According to the tax appraisal office, Mr. Meyer purchased the property on September 2, 2022.

Planning Board Recommendation: DENIAL of the request for a Variance to Chapter 26, the Manufactured and Recreational Vehicle Parks ordinance, as to not set a precedent.

Council Action: On May 13, 2024, the Council motioned to PASS the request and resubmitt to the Planning Board for further research.

Staff Recommendation: Denial

The variance request for a manufactured home to be permanently installed as a residential home on an existing developed residential lot for the intent of occupancy does not meet the City Code of Ordinance, Chapter 26 Section 26.4(2)(c). If the request is approved, then this may allow other property owners throughout town to use this request for their benefit and defeat the intent of the ordinance. Therefore, staff recommends denial as per the aforementioned ordinance citation.

Attachments:

- Planning Board Review Application
- Request for Variance Form
- Calhoun County Appraisal District Summary
- Calhoun County Appraisal District Parcel Image

City of Port Lavaca Request for Variance

Date: 4-9-2024


Name: Karl Meyer

Address: 302 Davis

Variance being requested: Manufactured ordinance

Reason for request: Own lot had a manufactured home on lot for over 50 years. Lot is set up for a new one water, sewer & electric. Would like to put a new one back on the lot.

Karl F. Meyer
Signature


Phone number

Date of Planning Board: _____

Received by: 4/9/24

