
CITY OF PORT LAVACA

MEETING: May 03, 2021 **AGENDA ITEM** _____

DATE: 04.26.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss a **revised** conceptual retail development. On Lots 4 and 5 Cottage Cove Subdivision. Addressed as 212 S. Commerce Street and 214 S. Commerce Street.

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...

*Kevin and Sasha Nevarez are requesting approval of a proposed **revised** conceptual retail development site plan. To be located lots 4 and 5 Cottage Cove Subdivision. Addressed as 212 S. Commerce Street and 214 S. Commerce Street.*

The phase one site plan proposes a 20x20 structure to be installed on the southeast portion of the property. This structure is required to have a building permit and meet all installation and wind rating standards of the City Code of Ordinances and the Texas Department of Insurance of a portable structure prior to installation. As the use is defined the parking standards can be assessed with precision.

Subdivision II – Off Street Parking

<i>Retail stores and shops, personal service shops, equipment repair and service shops, etc.</i>	1 per 300 square feet of gross floor area
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For this phase it is proposed the approximately 400sq. ft. structure will be a retail space. The parking proposed may meet parking conditions for the proposed 400 sq. ft. retail space. However, this is not certain with this site plan proposal. In addition, the ADA parking is not represented herein on the phase one site plan.

Aspects of the property and proposed project that were presented in the October 2020 Planning Commission meeting that were discussed and approved by the Planning Commission are as follows:

As per the October 5, 2020 Planning Commission memo:

There is upland portion of Lots 4 and 5 that front Commerce street and have a natural grade elevation of approximately 19ft. The rear portion of the lots are in a Velocity Flood Zone where all the permanent

structures must be elevated to where the bottom of the support structure is no less than 14 ft in elevation. The natural grade in this portion is approximately 9ft-10ft. New fill is not permitted in a Velocity Zone.

There is a public access easement that angles on the rear of the lots. This is shown with a green dashed line. There is a 15 ft front setback on S. Commerce, a 27.5 ft rear setback line, and 5 ft side setbacks.

Specifically, the proposed development includes the following:

- A portable food truck to be located on the lower portion of Lot 4.*
- A walk-up coffee/ice cream parlor located on the upper portion of Lot 4.*
- An ADA pedestrian ramp and sidewalks to connect the upper elevation parlor to the lower level parking.*
- The heavy dashed yellow line is a future restaurant that is planned to be constructed on a slab fronting Commerce St and pilings on the rear half (similar to O'Neills brewery). Parking for this restaurant would necessarily rely of area public parking and would be discussed whenever they are ready to propose that construction.*

Other things to consider:

- There is room along the rear access easement for 3 9'x20' parking spaces and a Van Accessible space. This would be adequate by code for these small buildings.*
- In reality, we can expect that people would park along S. Commerce to walk to the ice cream stand. TxDOT is in the process of constructing sidewalks all along this area. When O'Neills was first opened, parking along Commerce was discouraged and particularly since there currently are on sidewalks, people have not been parking there. I have found not ordinance though that prohibits parking here. In discussions with TxDOT at the time O'Neills was opening up, TxDOT said they had not laws that would prevent parking. There is ample room, but there may be those in the community that may not favor this action.*
- With the sidewalks in place, the 4-way stop at Main which slows the speed of traffic in the area, and the community's interest in making downtown more pedestrian friendly, allowing parking here for this and other activities downtown may make sense. I don't have a time line on TxDOT's construction and if the development is approved, we may want the developer to construct the sidewalk now in front of their development or wait to develop until TxDOT has completed their project.*

Staff Recommendations:

Fire: If approval is granted for this location to be developed as a retail development, a pre-development meeting to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

Public Works: If approval is granted for this location to be developed as a retail development, a pre-development meeting to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

CITY OF PORT LAVACA

1. An easement will be required to be approved by City Council and recorded prior to any pipes being placed through the City easement for recycling water for bait. Staff recommends applicant hire legal representation to draft the easements document and process the decision with the City.

Engineering: If approval is granted for this location to be developed as a retail development, a pre-development meeting to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

2. Refer to the October 1, 2020 Planning Commission memo for potential parking contingent on TxDOT project completion. There is no completion date at this time.
3. Please dimension in degree, and feet, the half radius turn. Reference link provided. http://onlinemanuals.txdot.gov/txdotmanuals/rdw/driveway_design_principles.htm
4. Verify and represent on the site plans that both the ingress/egress meet separation requirements. Reference link provided. http://onlinemanuals.txdot.gov/txdotmanuals/rdw/driveway_design_principles.htm
5. Please provide TxDOT documentation approving both access points on this property.
6. Display the total frontage length of the property. Reference link provided. http://onlinemanuals.txdot.gov/txdotmanuals/rdw/driveway_design_principles.htm
7. The applicants site plan proposes a retaining wall. As per the October 1, 2020 Planning Commission memo: *there is upland portion of Lots 4 and 5 that front Commerce street and have a natural grade elevation of approximately 19ft. The rear portion of the lots are in a Velocity Flood Zone where all the permanent structures must be elevated to where the bottom of the support structure is no less than 14 ft in elevation. The natural grade in this portion is approximately 9ft-10ft. New fill is not permitted in a Velocity Zone.*
8. Provide complete plans for the retaining wall to assess materials and structural compliance in the Velocity Zone.

Development Images: If approval is granted for this location to be developed as a retail development, a pre-development meeting to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

9. This structure proposed in phase one is required to have a building permit and meet all installation and wind rating standards of the City code of Ordinances and the Texas Department of Insurance prior to installation.
10. Please specify all setbacks for all buildings to front, side, and rear property lines on both site plans.

11. Where is the driveway/parking/ADA parking being proposed if the portable structure is being placed on the original proposed parking including ADA parking?
12. Please display the flood zone line. See attached plat images.
 - a. The Cottage Cove plat has the flood zone line of demarcation displayed.
13. Topography is required to be displayed on the site plan.
 - b. In order to properly review the access, parking and retaining wall criteria topo is required on site plan in review process. Where flood zone, coastal and drainage factors are in effect the topo is required.
14. Ensure scale is accurate. I am reviewing to exact scale shown on site plan and it appears off. I have provided a detailed checklist for your review.

Attachments:

- **Naverez Power Point Presentation**
- **Sasha property-PLDC Public Right of Way Easement recorded-Thorne**