
CITY OF PORT LAVACA

MEETING: June 12, 2023 **AGENDA ITEM** _____

DATE: 06/8/2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation from Planning Board for approval of a Conceptual plan and a Variance request to the ordinance Chapter 48, Division 3-Off Street Parking and Loading, Sec.48-106 and Sec. 48-107 for a Mixed Use development to be located at 212 South Commerce Street, Parcel ID's #87353 and #87352

Kevin and Sasha Nevarez are requesting approval of a variance for off-street parking due to site constraints.

The dwelling unit and restaurant are proposed to be 2,494 square feet each. The dwelling unit requires 2 spaces and the restaurant is proposed to have 44 seats and requires 15 spaces. The request is for 11 spaces which will include two ADA parking spaces.

Subdivision II. - Off-Street Parking

Sec. 48-106. - Facility requirements.

- (a) Location. The off-street parking facilities required by this division shall be located on the same lot or parcel of land as the building, use or structure to which they are an accessory. Street rights-of-way between the curb and property line shall not be used except for entrance or exit to driveways. In the event of particular difficulties in establishing the off-street parking facilities on the same parcel of land, the director of public works or the planning commission may permit such parking facilities on another lot or parcel of land, providing the straight-line distance between the two parcels shall not exceed 300 feet, and providing further, other safeguards to ensure permanent provisions of such facilities to the building, use or structure requiring same.

Subdivision II. - Off-Street Parking

Sec. 48-107. - Minimum standards.

Minimum Standards for Off-Street Parking	
Type of Structure or Use	Number of Spaces
Single-family units, more than 1,200 square feet	2
Restaurants, bars, nightclubs, etc.	0.33 per seat

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_C48TRVE_ARTIIPASTST_DIV3OREPALO_SDIIOREPA

Department Comments:

Engineering: Ensure ADA compliance and adequate parking

Fire: The building will need to be sprinkled

Public Works: water and sewer is available on Commerce Street

Development Services: This proposed Mixed Use Development is consistent with the Future Land Use Plan and the proposed Downtown Waterfront Master Plan (see attached Fig 29 from the DTWFMP). As we discussed when reviewing the proposed Downtown Waterfront Masterplan, we need to rethink parking for new development in this Downtown area. Potential development in this Downtown area will often not have enough land area to accommodate 100% of the on-site parking required in our current parking ordinance. These businesses will need to count on some level of available public parking in the downtown area.

Please reference the Exhibit Jody has prepared showing a conceptual plan for parking areas behind Nautical Landings, behind the former O’Neills (soon to be Topsy Bean), Poor Boy and Commerce Street. This concept plan shows a potential 10 ft wide shared use path as a continuation of the path recently constructed in Bayfront Park. There should be room for about 48 parking spaces behind Nautical Landings. Of course some of those we would want to have reserved for Nautical Landings and marina tenants, but at least 20 of these spaces should be available for public parking.

With the new sidewalks along SH 238, parallel parking along Commerce is now safer. Parking and more activity along this section of Commerce will slow traffic down as well.

In consideration of the available public parking in the area, staff doesn’t see an issue with reducing the required on site parking spaces.

Planning Board Recommendation: At the June 5th meeting, the Planning Board discussed the proposed plans and recommended approval of the Variance request to the ordinance Chapter 48, Division 3-Off Street Parking and Loading, Sec.48-106 and Sec. 48-107. To be located at 212 South Commerce Street, Parcel ID’s#87353 and #87352. Due to an oversight, the Planning Board did not include a recommendation to approve the conceptual plan in their motion. The Planning Board has scheduled a meeting for Monday June 12 at 5:30 pm prior to the Council meeting in order to record a vote on the recommendation for approval of the conceptual plan.

Attachments:

- Nevarez’s variance request
- CAD ID# 87352-87353
- Available Downtown Waterfront Parking exhibit
- Fig 29 of the Downtown Waterfront Master Plan
- Nevarez site/floor plans and elevations

City of Port Lavaca Request for Variance

Date: 5/26/23

Name: Kevin + Sasha Nevarez

Address: 212 S. Commerce

Variance being requested: ^{off street} Parking on S. Commerce
for Nevarez Rafael Company Restaurant on
feeder of Hwy 338

Reason for request: The reason being request is for
parking needed for the occupancy allowed
inside business at 212 S. Commerce.
We need (4) extra parking spots to fit
our parking plans. The state has
sent a approval letter allowing the parking
via state rules.

SNevarez

Signature

Phone number

Date of Planning Board: _____

Received by: _____

212 South Commerce Street

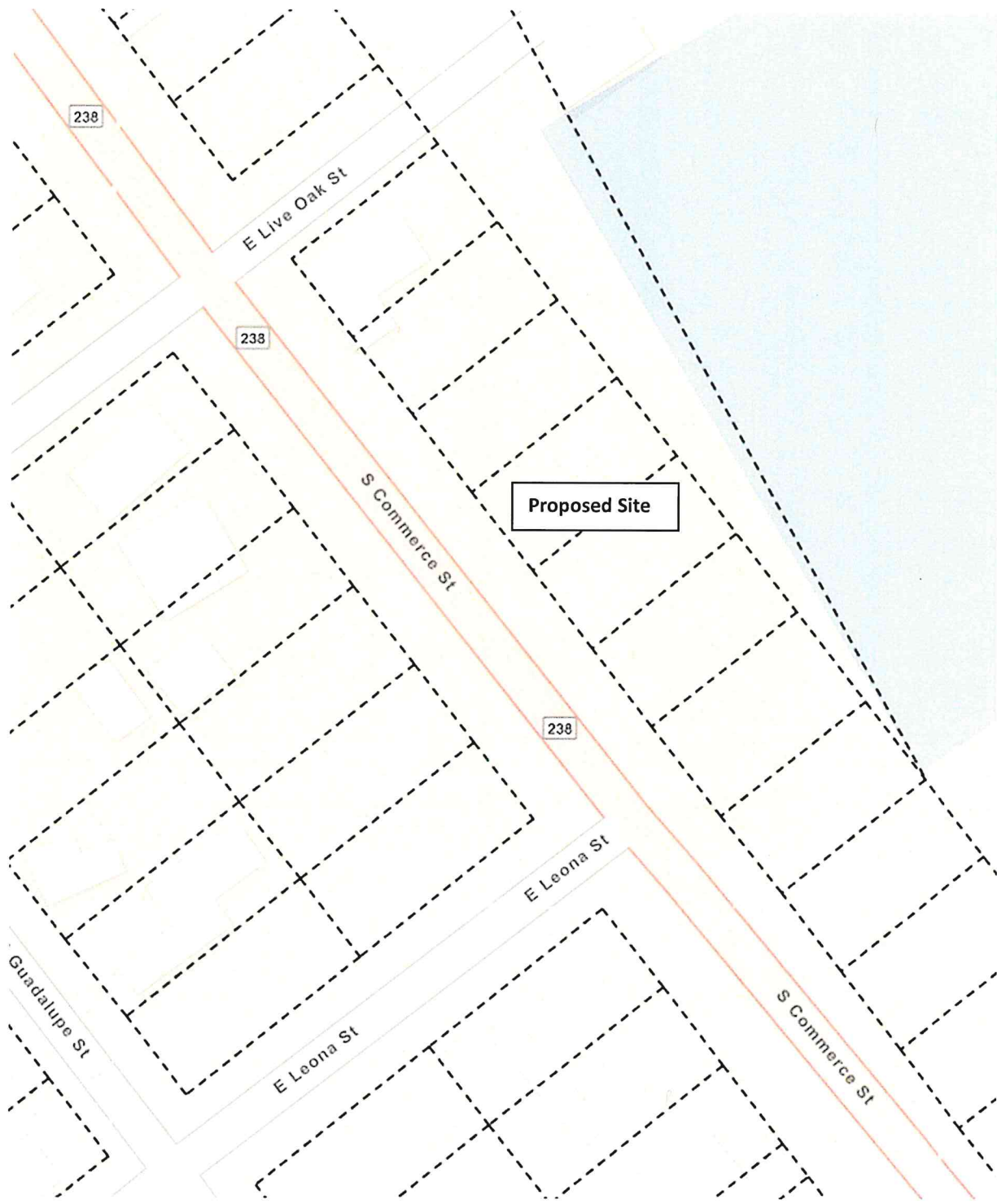
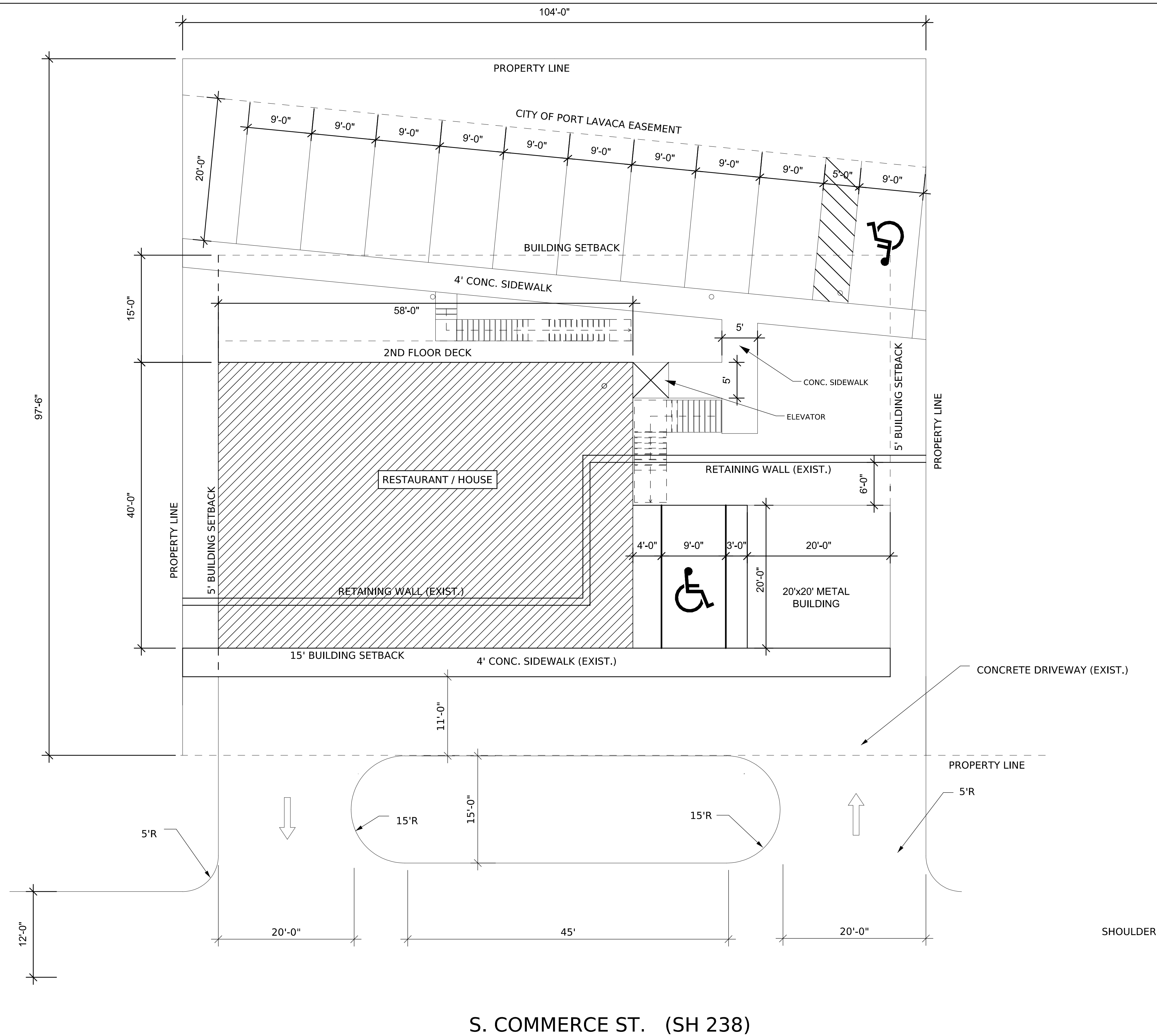






Fig. 29 - Commerce Street District Improvements Plan



212 S. Commerce Street
Cottage Cove S/D
Block 2, Lot 4-5

GENERAL NOTES

Parking Requirements:
Restaurant - 44 seats x 0.33 = 15 spaces
Fish Market - 150 sf = 1 space
House - 2 spaces
Total - 18 spaces

Spaces available:
Off-Street on property - 11 (2 HC) spaces
On-Street - 45' available frontage at 22' per space = 2 spaces
On-street in front of adjacent property owned by City of Port Lavaca - 211' available at 22' per space = 9 spaces

Total spaces available:
Off-street - 11
On-street - 11

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VEF ENGINEERING

527 Elmhurst Drive
Port Lavaca, TX 77979
(361) 920-6240
TX Firm No. 17596

PROJECT NAME:

Nevarez House / Restaurant
212 S. Commerce Street
Port Lavaca, TX

CLIENT:

Kevin and Sasha Nevarez

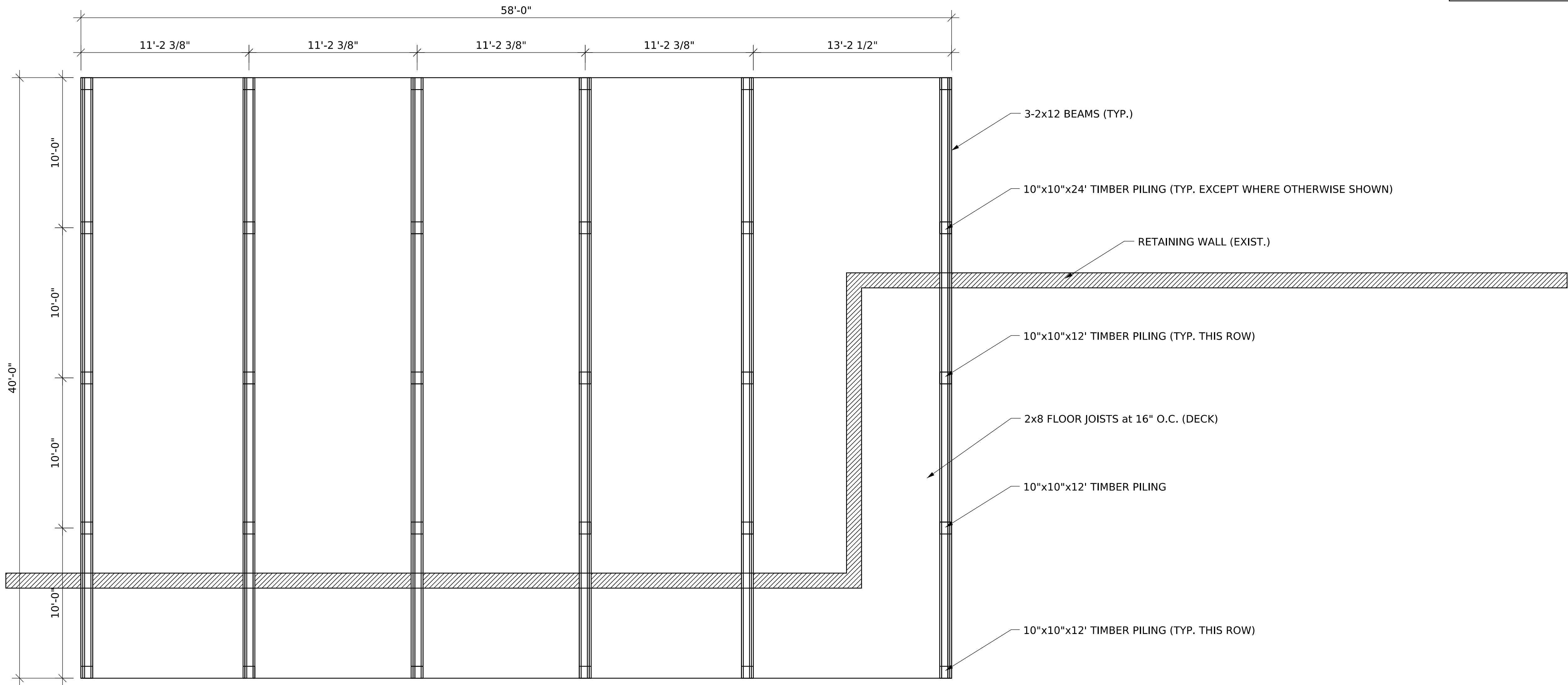
DRAWING:

SITE PLAN

SCALE: 1/8" = 1'-0" DATE: MAY 2023

DRAWN BY:	VEF	SHEET:	2
CHECKED BY:	VEF		
APPROVED BY:	VEF		

DESIGN DATA:
WIND SPEED: 145 MPH (Vult.)
IMPORTANCE CAT.: II
EXPOSURE: C



- GENERAL NOTES
1. ALL FRAMING HARDWARE TO BE STAINLESS STEEL OR HOT-DIPPED GALVANIZED.
 2. PILINGS TO BE EMBEDDED AT LEAST 10' BELOW GRADE.
 3. PILINGS TO HAVE KNEE BRACES AS SHOWN IN DETAIL ON THIS PAGE.
 4. DOUBLE FLOOR JOISTS TO BE PLACED BENEATH WALLS THAT RUN PARALLEL TO JOISTS.

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Valerie E. Smith

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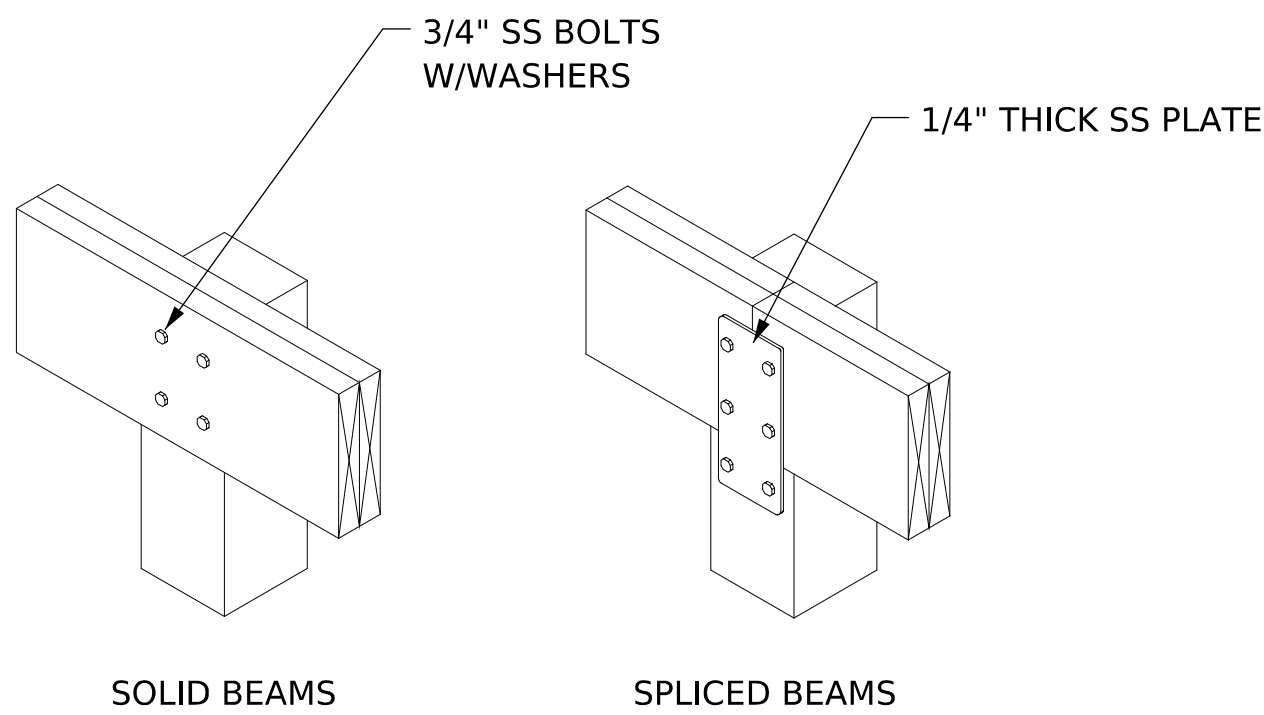
PROJECT NAME:
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212 S. Commerce Street
Port Lavaca, TX

CLIENT:
Kevin and Sasha Nevarez

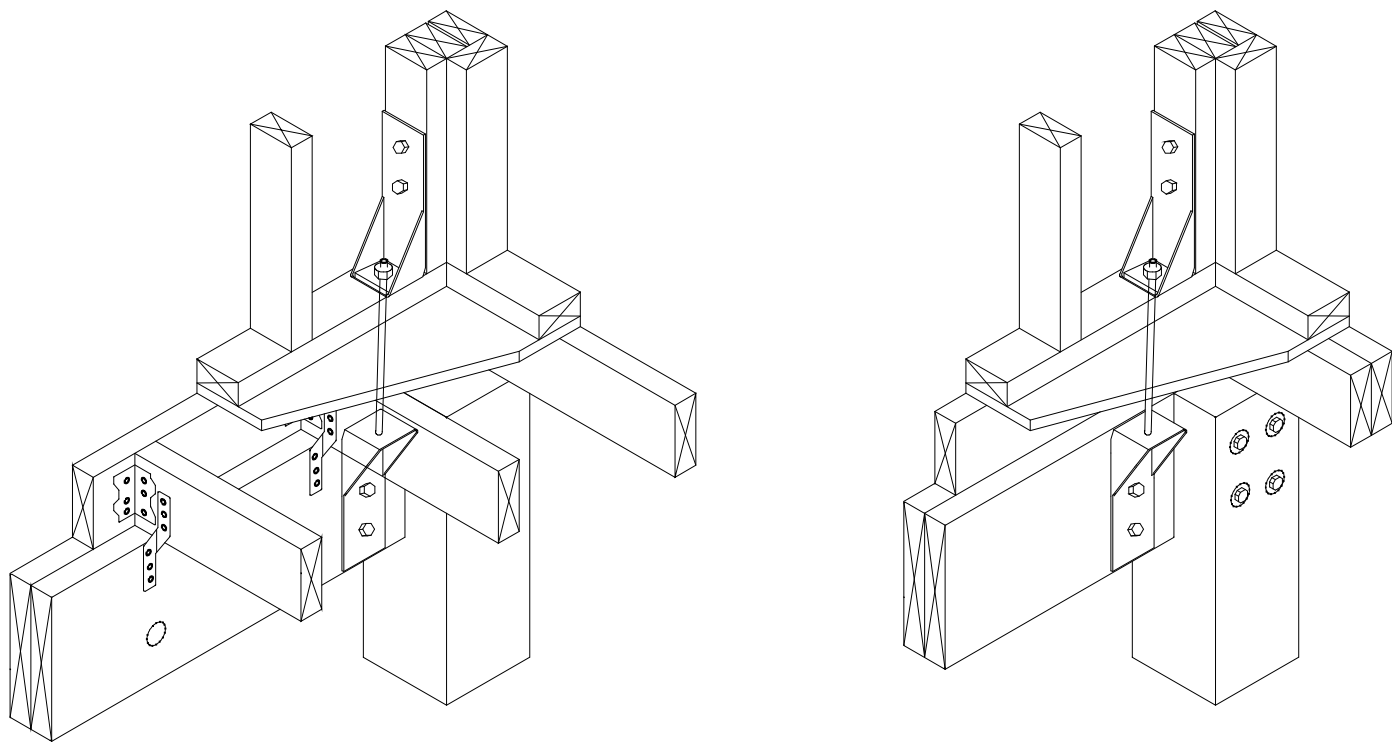
DRAWING:
FOUNDATION PLAN

SCALE: 1/4" = 1'-0" DATE: MAY 2023

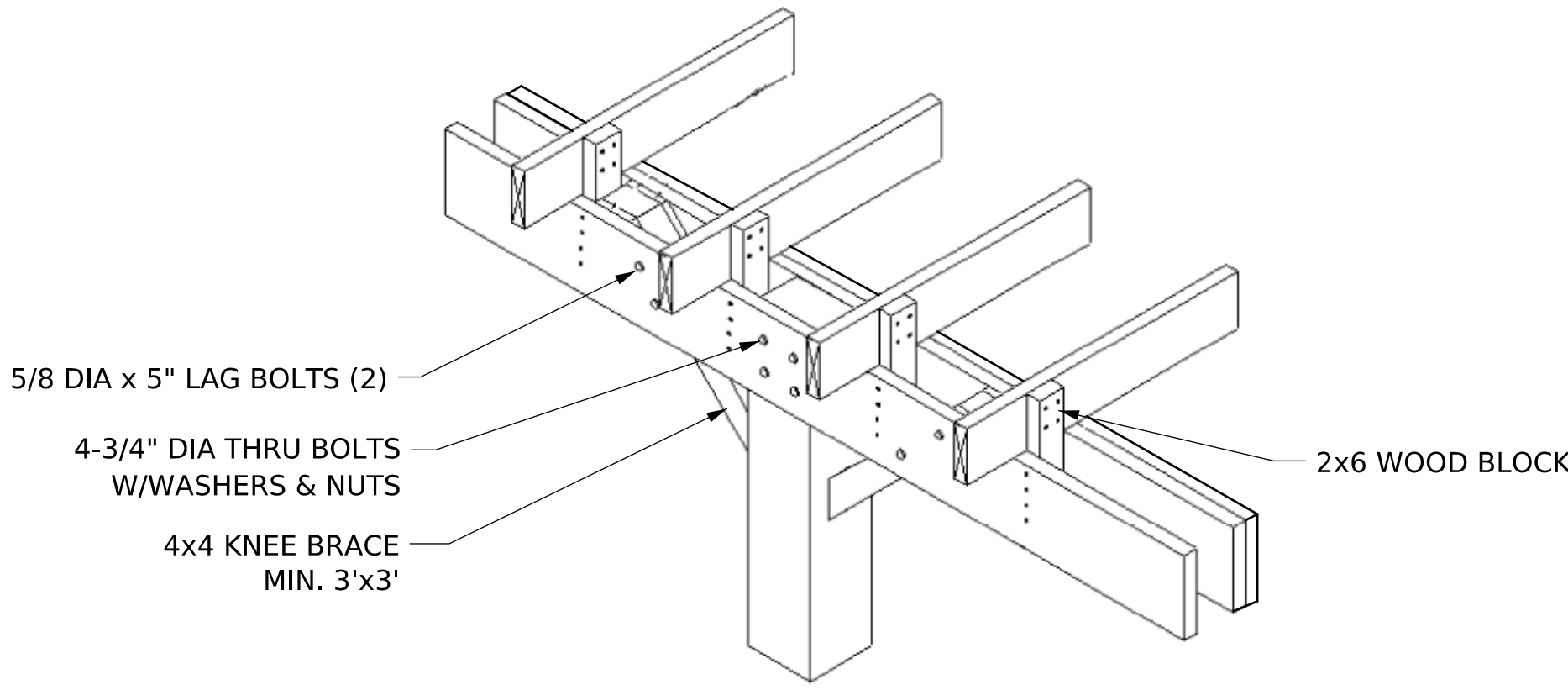
DRAWN BY: VEF	SHEET: 3
CHECKED BY: VEF	
APPROVED BY: VEF	



PILING TO BEAM DETAILS

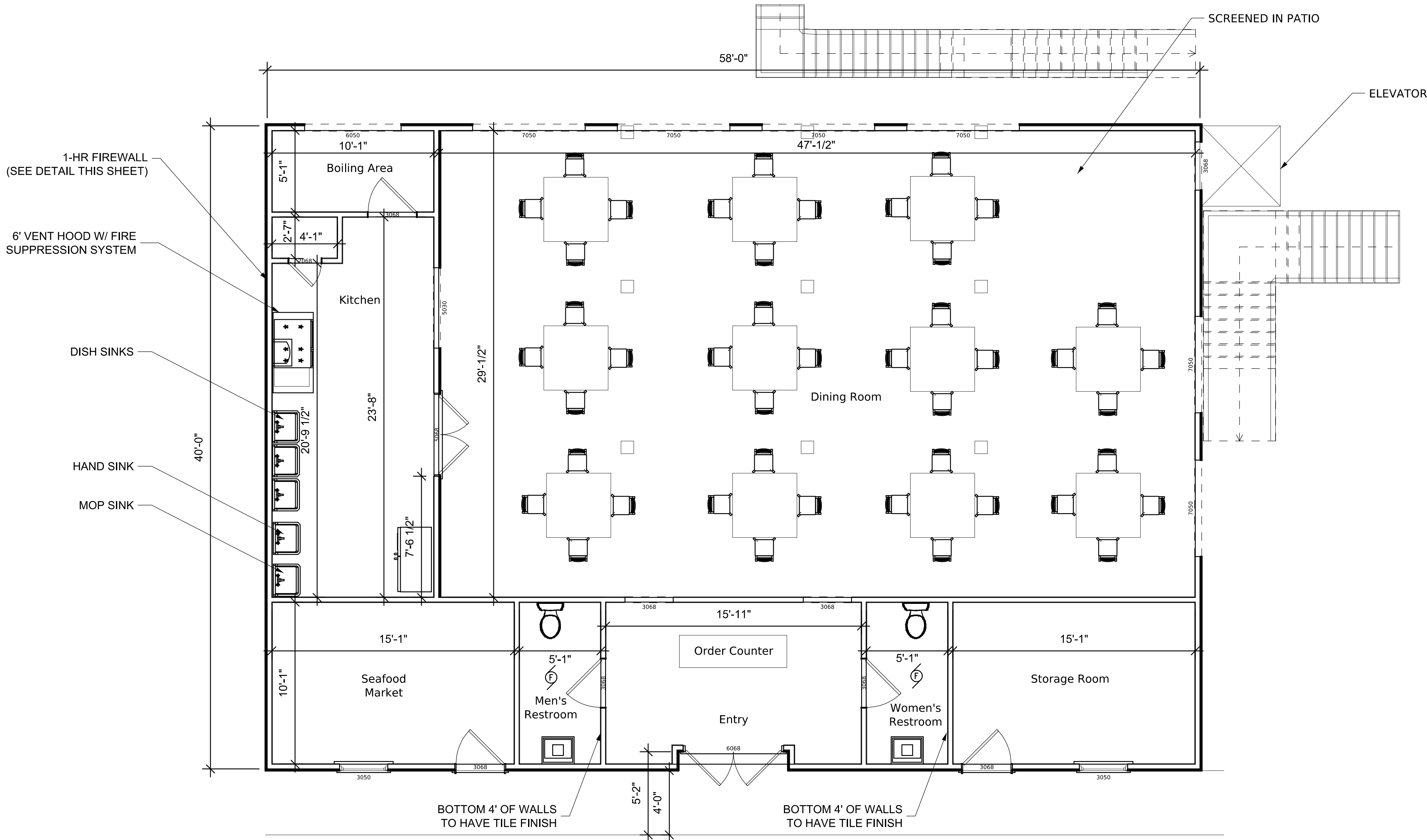


BEAM CLIPS AND HOLD DOWN DETAILS



PILING TO BEAM CONNECTION DETAILS

NOTE: KITCHEN AND BOILER ROOM CEILINGS
TO BE FIRE RESISTANT (2-HR), SEE DETAIL THIS SHEET




1st Floor Area: 2320 sf

DESIGN DATA:

2018 IRC
WIND VELOCITY: 145 MPH (Vult.)
IMPORTANCE CAT.: II
EXPOSURE: C

GENERAL NOTES

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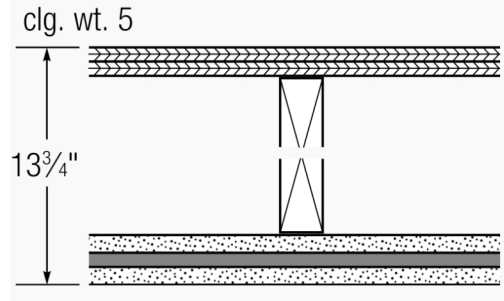
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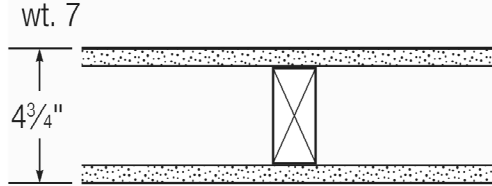
CLIENT:
Kevin and Sasha Nevarez

DRAWING:
FLOOR PLAN
1st Floor
SCALE: 1/4" = 1'-0" DATE: MAY 2023

DRAWN BY: VEF	SHEET: 4
CHECKED BY: VEF	
APPROVED BY: VEF	

2 Hour Fire-Rated Construction		Dimensional Lumber		Acoustical Performance			Reference	
Construction Detail	Description	Test Number	STC	IIC	Test Number	ARL	Index	
	• Two layers 5/8" SHEETROCK FIRECODE C Core gypsum panels – 1" nominal wood sub and finished floor – 2 x 10 wood joist 16" o.c. – RC-1 channel or equivalent – joints finished	UL Des L511			Assembly not recommended when sound control is a major consideration		B-71	

2-HR FIRE RESISTANT CEILING DETAIL

1 Hour Fire-Rated Construction		Loadbearing		Acoustical Performance		Reference	
Construction Detail	Description	Test Number	STC	Test Number	Index		
	• 5/8" SHEETROCK FIRECODE Core panels, or 5/8" SHEETROCK UltraLight panels Firecode X, or 5/8" Fiberock panels – 2 x 4 wood stud 16" or 24" o.c. – optional insulation	UL Des U305, U314	32	RAL-TL11-129 Based on 5/8" SHEETROCK FIRECODE core panels, no sound bat	A-59		
			33	RAL-TL11-172 Based on 5/8" SHEETROCK UltraLight Panels Firecode X, no sound bat			
			34	RAL-TL11-173, RAL-TL11-130 Based on 5/8" SHEETROCK FIRECODE core panels or 5/8" SHEETROCK UltraLight Panels Firecode X with R-11 fiberglass sound bat			
			37	RAL-TL11-081, RAL-TL11-084 Based on double layer one side 5/8" SHEETROCK FIRECODE core panels or 5/8" SHEETROCK UltraLight Panels Firecode X with R-11 fiberglass sound bat			

1-HR FIRE RESISTANT WALL DETAIL

[illegible]

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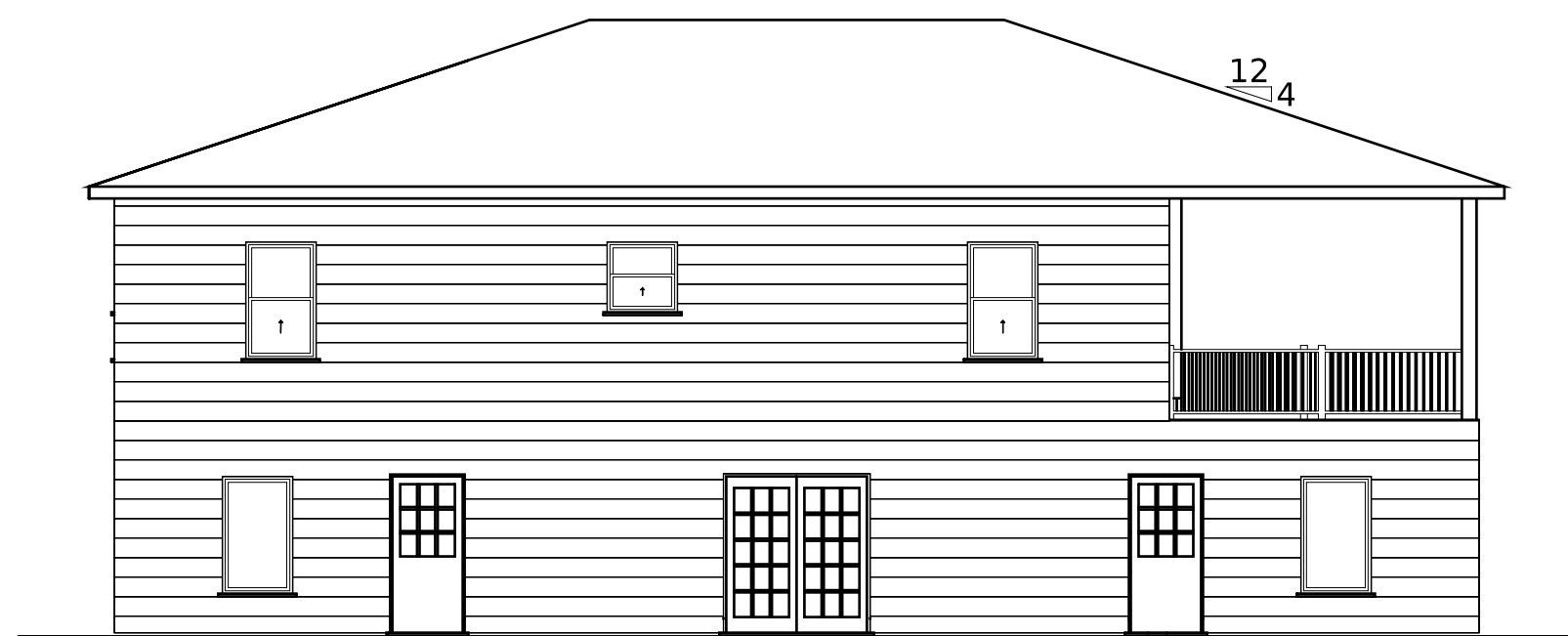
CLIENT: Kevin and Sasha Nevarez

DRAWING:

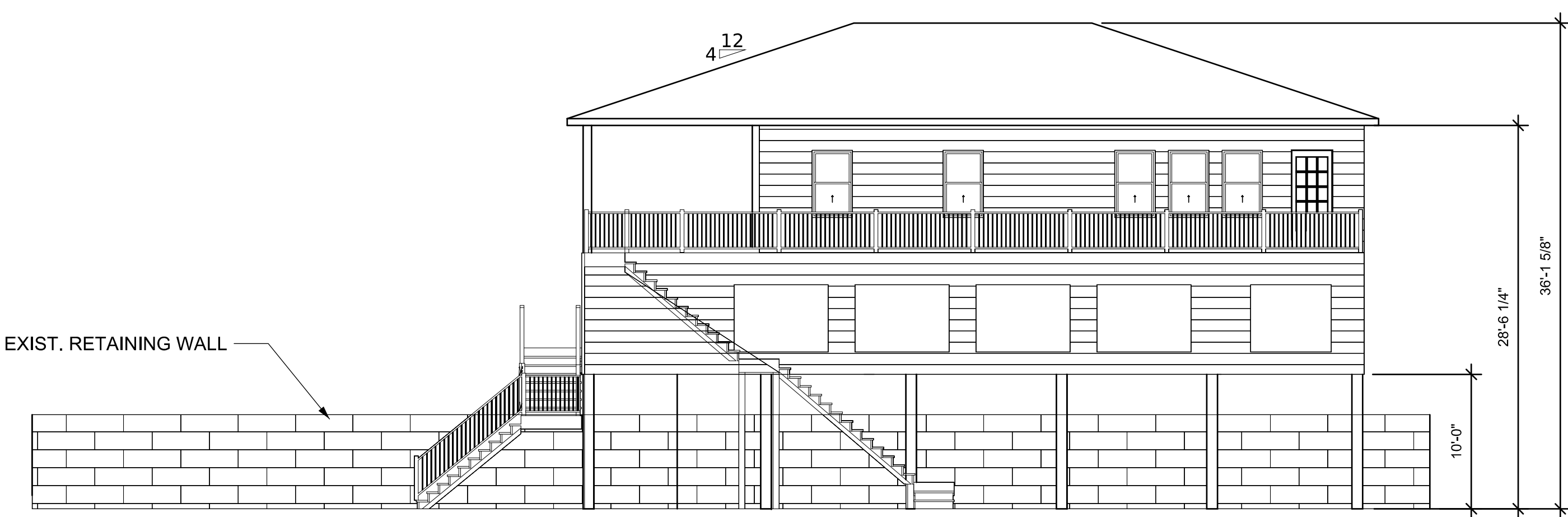
FLOOR PLAN
2nd Floor

SCALE: 1/4" = 1'-0"	DATE: MAY 2023
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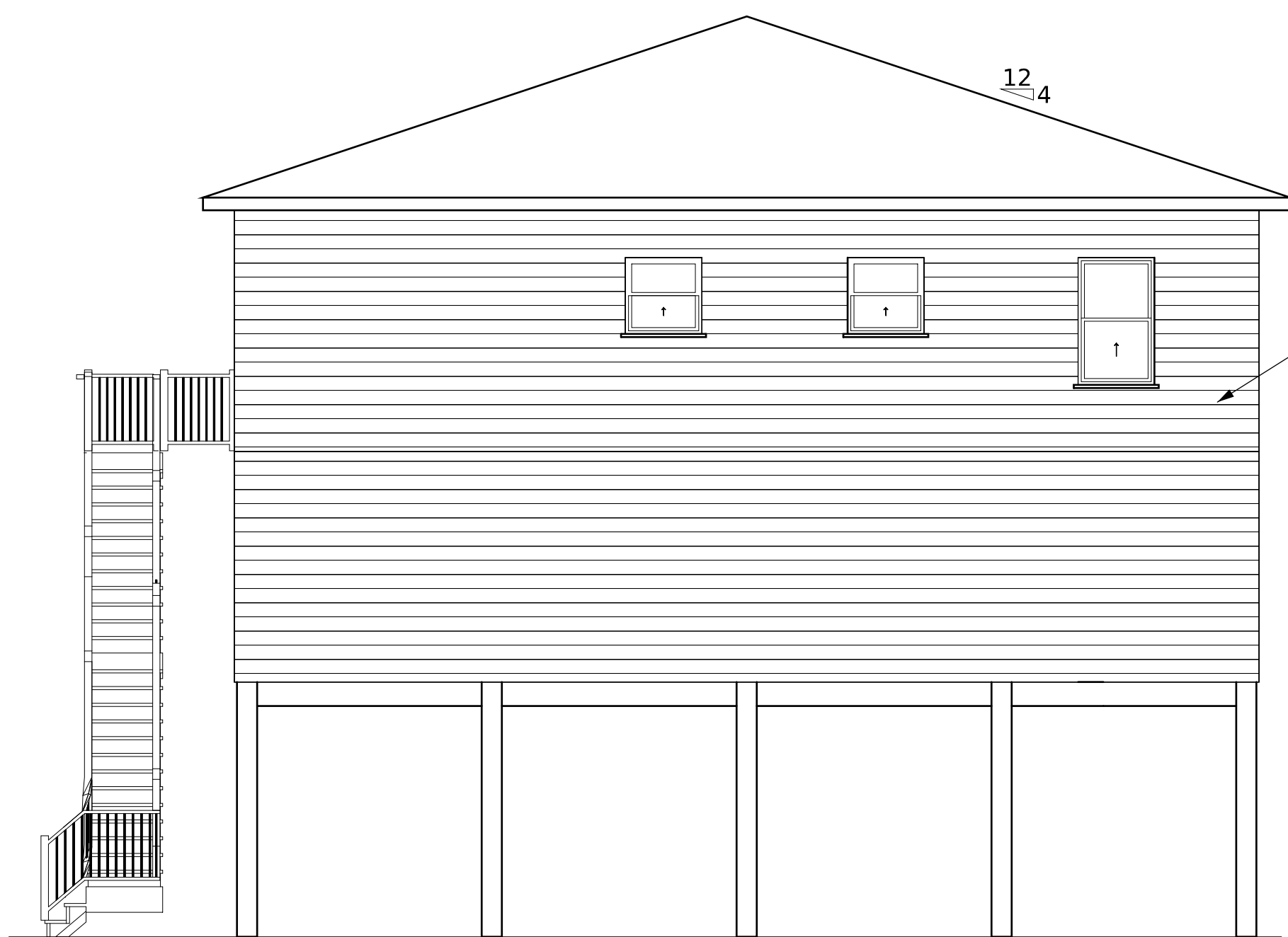
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FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

GENERAL NOTES

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Victoria E. Fredericks

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DRAWING:

ELEVATIONS

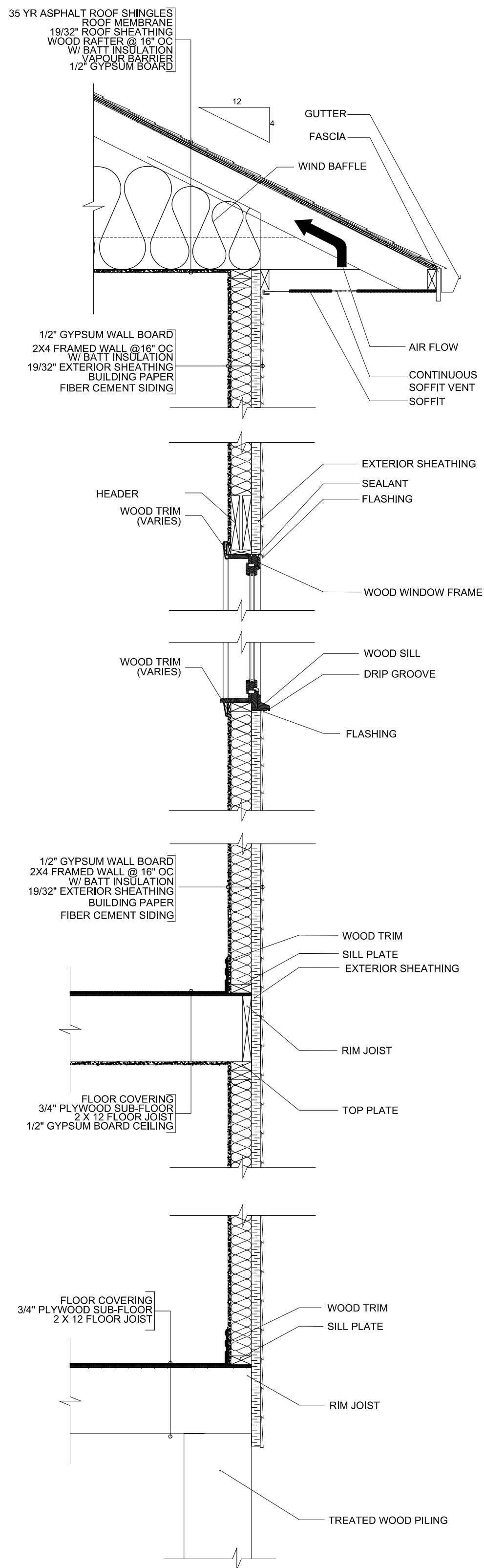
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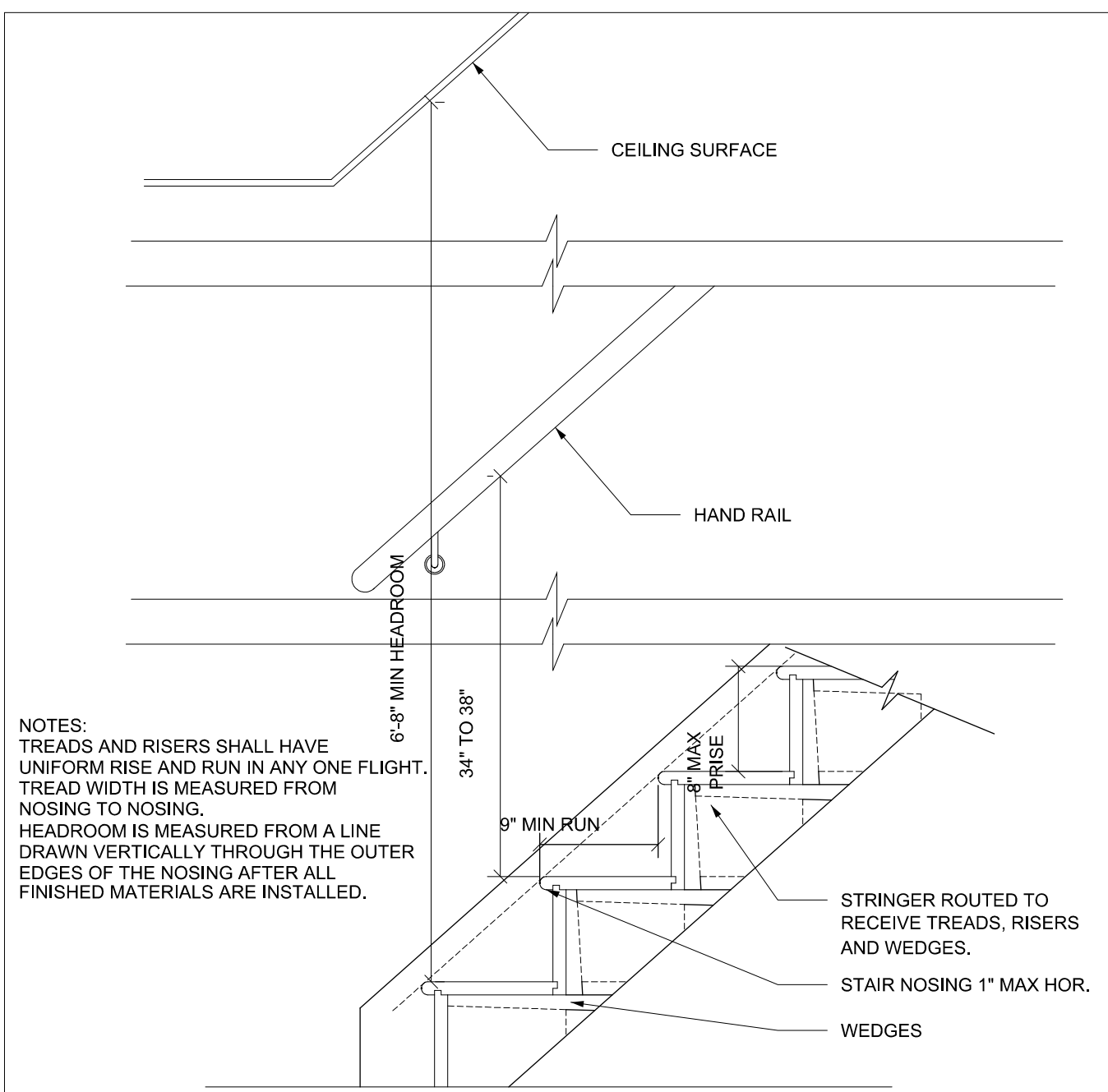
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APPROVED BY: VEF

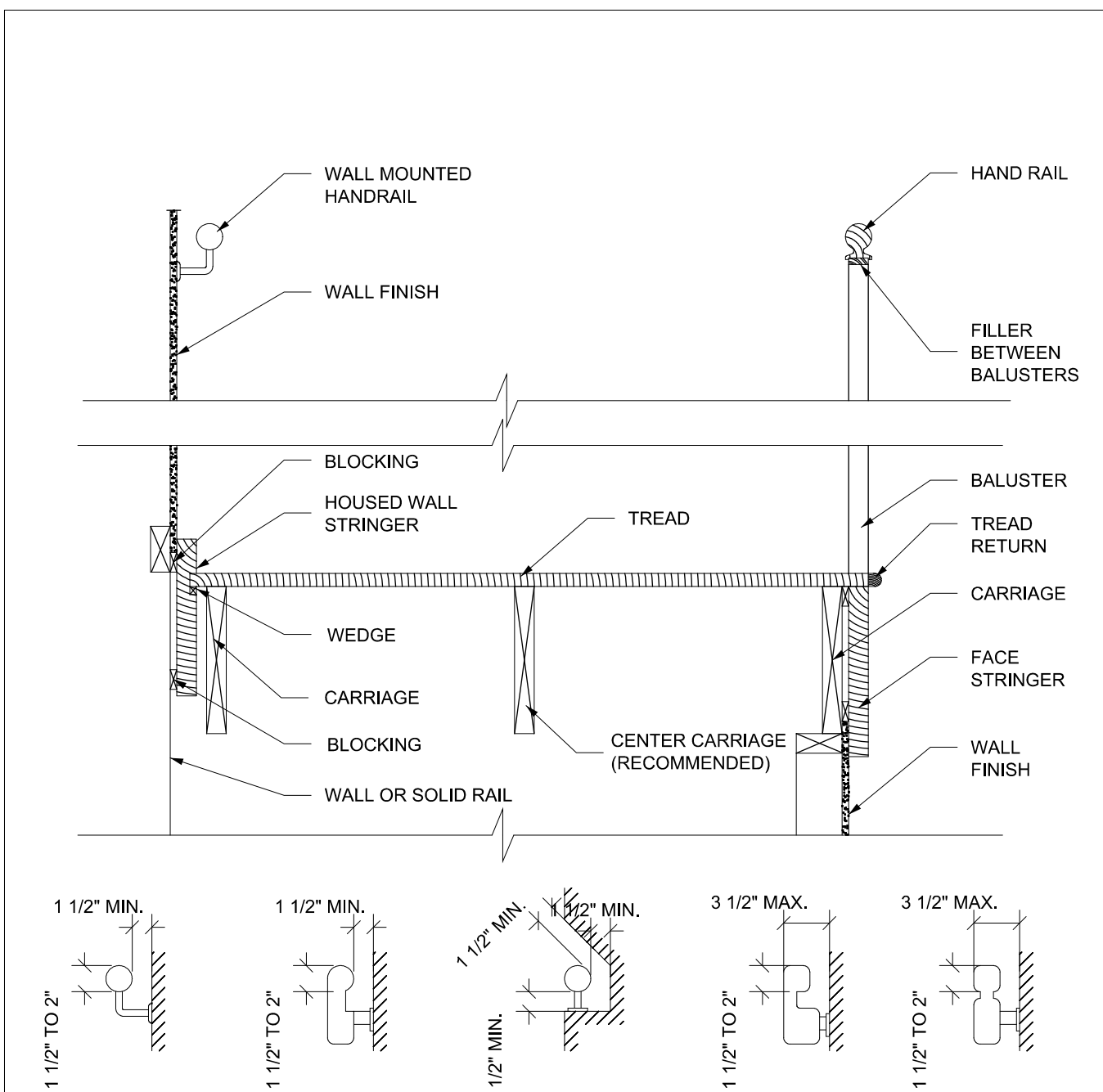
SHEET:
6



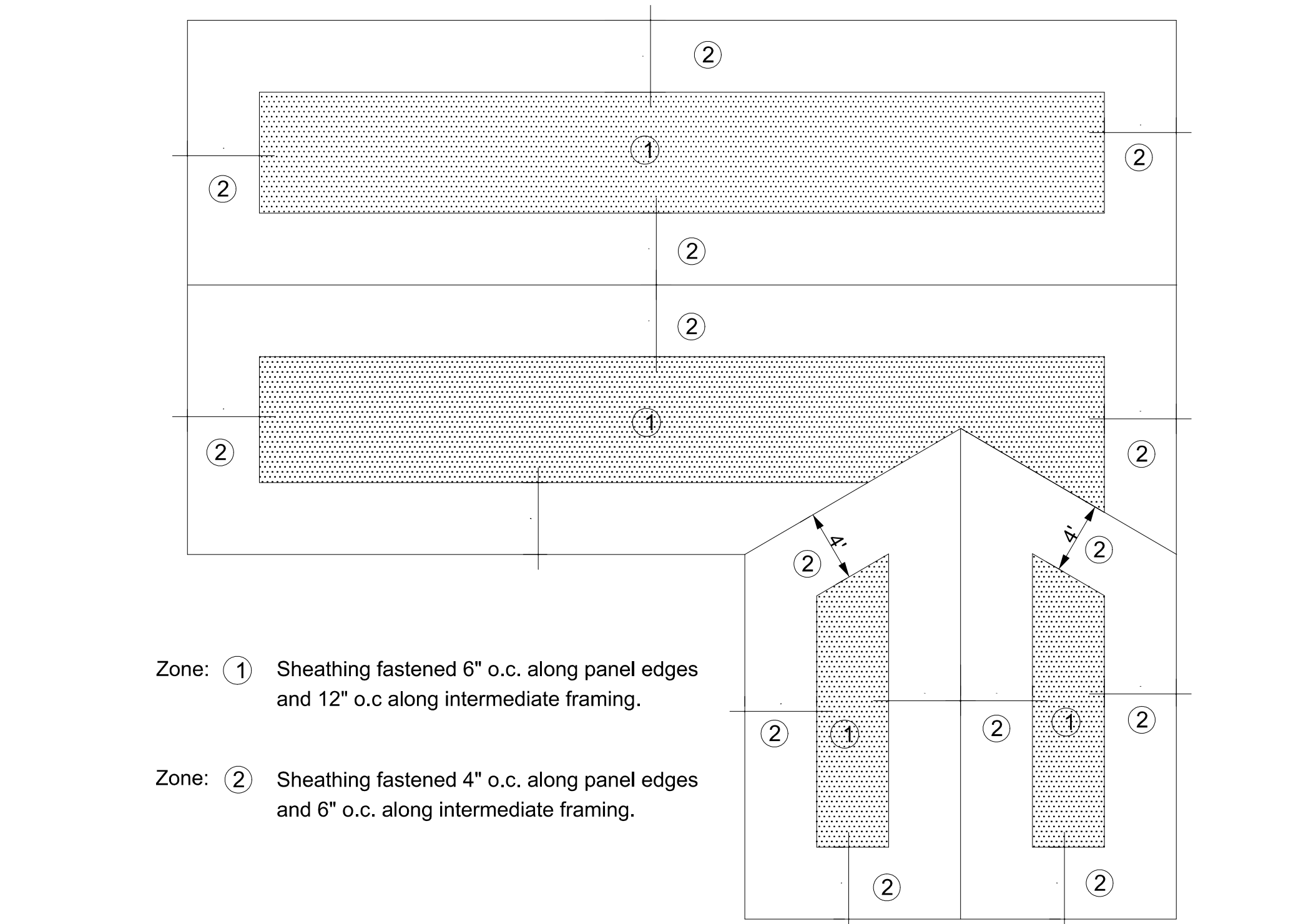
TYPICAL WALL SECTION DETAIL



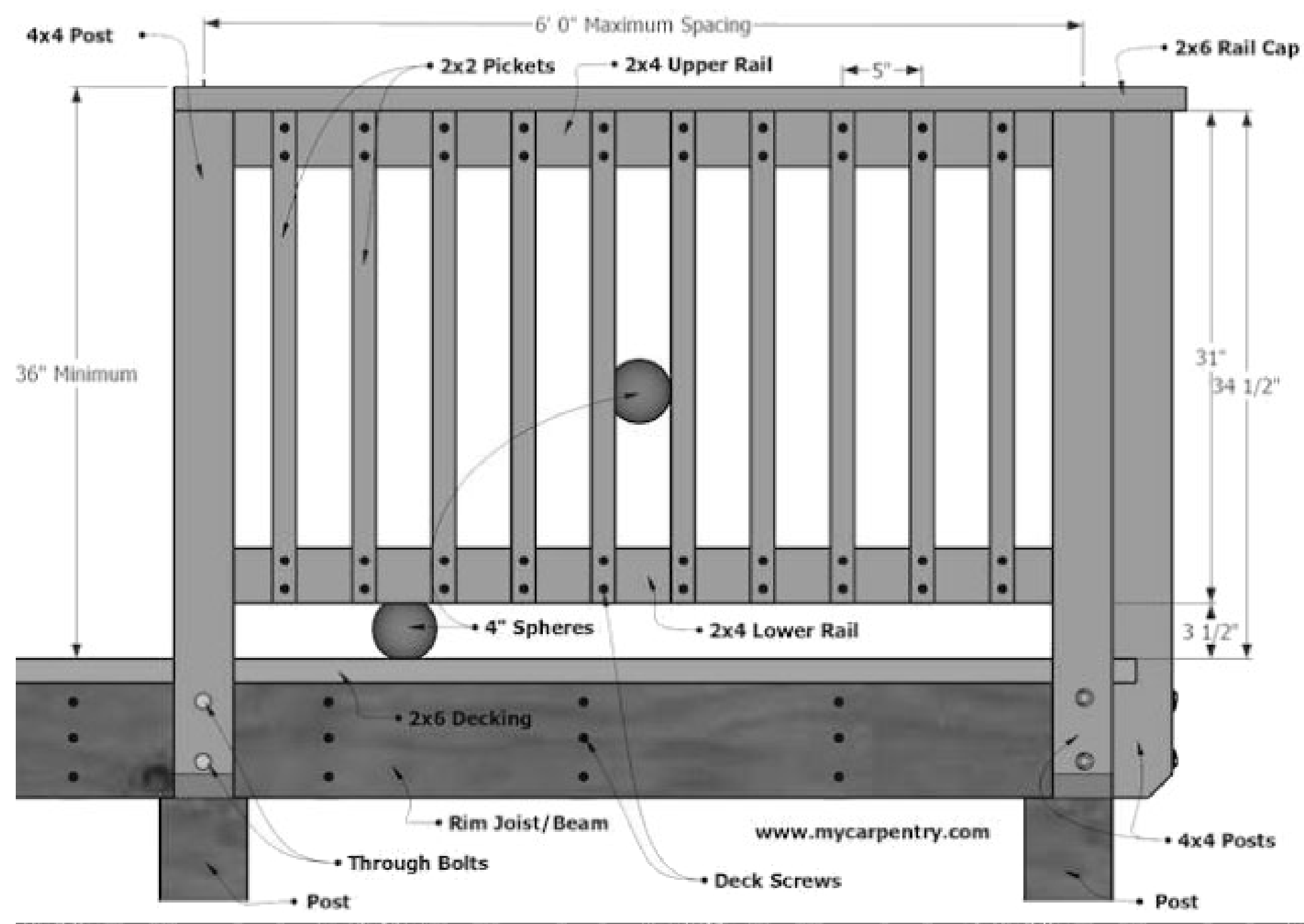
STAIR SECTION THROUGH LENGTH OF STAIR



STAIR SECTION THRU WIDTH OF STAIR AND RAILING




ROOF SHEATHING ATTACHMENT



RAILING DETAIL

GENERAL NOTES

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CLIENT:
Kevin and Sasha Nevarez

DRAWING: **DETAILS**

SCALE: NTS DATE: MAY 2023

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CHECKED BY: VEF	
APPROVED BY: VEF	