
CITY OF PORT LAVACA

MEETING: April 12, 2021

DATE: 04.06.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a conceptual plan for Mr. Jimmy Shelton for a proposed medium-density residential townhome development with a variance request for zero side yard setbacks. Mr. Shelton is proposing the townhomes to be built on 40 x70' lots with zero side yard setbacks. Legal description is A0035 MAXIMO SANCHEZ, TRACT PT 26, ACRES 5.00. Property identification number is 90774.

ARTICLE VI. - DESIGN STANDARDS

Sec. 42-131. - Lots.

(b) Minimum building setbacks.

(3) Side setback line. Minimum side setback lines shall be five feet, except for corner lots that require a 25-foot side setback.

Mr. Jimmy Shelton is proposing for a medium-density residential townhome development with a variance request for zero side yard setbacks. Mr. Shelton is proposing the townhomes to be built on minimum lot dimensions of 40' x70' with zero side yard setbacks. The proposed development is 5 acres and will have approximately 46 units equating approximately to 9.2 units per acre. This is contingent on final design layout of the development, but that is the target number of units. Also, contingent on the design layout is an open space/park that will serve as the drainage for this development. The variance request is similar to the applicant's prior development, The Enclave Townhomes.

As cited below Sec. 42-160. - Minimum design standards. (2) Townhouses.

- a. Area requirements. 5. Each lot 20 feet or more in width shall contain not less than 1,600 square feet, and each lot less than 20 feet shall contain not less than 1,280 square feet. 6. Each townhouse shall be located on an individual lot.

The applicant's proposed design for the lots meets this lot width standard and the square footage of the townhomes are compliant to this regulation as well.

- e. Setback requirements. The planning commission may approve a lesser setback from the setback that was specified in article VI of this chapter when rear access is provided and when reduced setbacks will not, in the opinion of the planning commission, detrimentally affect existing or proposed development adjacent to and across the street and within 200 feet on each side of the area proposed for reduction of setback within the project.

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The applicant developed The Enclave Townhomes in proximity to this proposed Enclave Terrace Townhome development and received the zero-side yard setback for the original Enclave Townhome development.

Mr. Shelton's townhome development will be comparable in aesthetic design to the one located in Sugarland, TX shown in the link provided:

[enclave terrace sugarland texas - Bing](#)

ARTICLE VII. - GROUP HOUSING AND COMMERCIAL DEVELOPMENT

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...

Sec. 42-160. - Minimum design standards.

(2) Townhouses.

a. Area requirements.

1. There shall be at least four connected units in each project.
2. There shall be no more than 18 dwelling units per acre.
3. The townhouse project lot size shall average at least 2,500 square feet per unit, including the common area, if any. Individual lot sizes shall be governed by subsection (2) a.5. of this section.
4. Not less than 80 percent of the townhouse lots in a project shall be a minimum 20 feet wide, provided that the remaining lots in a project shall be at least 16 feet in width.
5. Each lot 20 feet or more in width shall contain not less than 1,600 square feet, and each lot less than 20 feet shall contain not less than 1,280 square feet.
6. Each townhouse shall be located on an individual lot.

b. Coverage requirements.

1. The coverage of a project shall not exceed 55 percent of the total site area. The term "coverage" includes all buildings, structures and required parking spaces. The remaining 45 percent can include driveways, sidewalks, patios, and grass/landscaped areas.
2. The coverage of the common area, if any, shall not exceed 40 percent of such common area.

c. Yard requirements.

1. Each lot shall contain a private yard with not less than 300 square feet of area. Not more than one-half of the private yard may be occupied by a driveway, but parking areas shall not be included in the computation of the required private yard area.

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2. A private yard may have a patio cover or roof that does not cover more than 25 percent of the private yard.
3. A wall or solid fence not less than five feet in height shall be required on side lot lines where the required private yard adjoins such lot lines, and on rear lot lines where the townhouse lots are backing a public street.
4. At least 7.5 feet of side yard shall be provided at the side property line of any townhouse project.
5. No side yard shall be required between connected townhouses or units.

d. *Minimum space between townhouse groups.* Within a townhouse project there shall be at least 15 feet of separation between each townhouse group.

e. *Setback requirements.* The planning commission may approve a lesser setback from the setback that was specified in article VI of this chapter when rear access is provided and when reduced setbacks will not, in the opinion of the planning commission, detrimentally affect existing or proposed development adjacent to and across the street and within 200 feet on each side of the area proposed for reduction of setback within the project. A pictorial representation or drawing of the proposed project, including location of buildings, off-street parking, rear access and any other proposed improvements, shall be provided to the planning commission before the commission may act upon a request for a reduced building setback line.

f. *Length requirement.* No townhouse group shall exceed 200 feet in length.

g. *Utility meters.* There shall be separate utility meters for each townhouse building.

h. *Parking and driveway requirements.* In addition to the requirements of [chapter 48](#), article II, division 3, off-street parking and loading, the following requirements shall be complied with:

1. A required parking space not located on the individual lot shall be located within 200 feet of the lot.
2. No driveway located in the front yard of a townhouse lot shall exceed a 20-foot width.
3. Individual driveways may not open onto a collector street or larger. When townhouse units are located on a collector street, the driveway entrances/exits will be limited to providing access to a common interior driveway located at the rear of the property, and shall have a centerline offset, when present, of a minimum 125 feet with any public street or other similar group housing or commercial development driveway, unless a variance is issued in an exceptional case.

i. *Subdivision plat.* All townhouse subdivision plats must contain the following statement:
"This (development, section, lot, etc.) shall be restricted to townhouses only."

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Department Comments:

Fire: Consideration of requirements upon formal project submittal will be anything more than a duplex has to be sprinkled in accordance with the International Fire Code Sec 903 – Automatic Sprinkler Systems. Upon further consideration for review at formal submittal of plans there may be additional comments of a required secondary ingress/egress access point. Fire apparatus road may be required.

Engineering: If approval is granted for this location to be developed as a townhome residential development, a pre-development meeting should be scheduled to discuss the comprehensive site design and development standards, including but not limited to, the city road and drainage design and development standards.

Public Works: If approval is granted for this location to be developed as a townhome residential development, a pre-development meeting should be scheduled to discuss the comprehensive site design and development standards, including but not limited to, the municipal utilities regulations.

Development Services: If approval is granted for this location to be developed as a triplex development, a pre-development meeting should be scheduled to discuss the comprehensive site design and development standards in addition to the plat process.

Planning Commission: APPROVED

Planning Commission approves the conceptual plan for Mr. Jimmy Shelton for a proposed medium-density residential townhome development with a variance request for zero side yard setbacks. Mr. Shelton is proposing the townhomes to be built on 40 x70' lots with zero side yard setbacks. Legal description is A0035 MAXIMO SANCHEZ, TRACT PT 26, ACRES 5.00. Property identification number 90774.

Attachments:

- Shelton Proposed Townhome Pre-Plat
- Mr. Shelton CAD
- Mr. Shelton-Townhome images