
CITY OF PORT LAVACA

MEETING: April 12, 2021 **AGENDA ITEM** _____

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 from Mr. Tony Magana for a medium-density residential triplex development located in Claret Crossing subdivision lots 53-58.

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. Tony Magana is proposing a medium-density residential triplex development with a potential variance request for zero side yard setbacks. The applicant will reconfigure existing lots to meet the design layout for the development via a replat. There are considerations to do one lot or replat to two lots and record a shared open space document with either of these replat options or create individual lots for each unit. Mr. Magana is proposing to build 3 individual triplexes for a total of nine (9) residential units on lots 53-58 of Claret Crossing subdivision.

As cited below Sec. 42-160. - Minimum design standards. (3) Patio homes.

d. Setback requirements. 1. ...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. 2. All zero side lot lines shall be designated on the subdivision plat, and each lot shall have only one zero lot line. No windows, doors, or other dwelling openings shall be allowed on the zero-lot line. 3. A minimum of six feet shall be maintained between each patio home, and the six-foot building line shall be indicated on the patio home subdivision plat.

Zero side yard setbacks are consistent with this type of proposed triplex development or patio development. This type of row houses is referred to as "Patio Homes" in the city ordinance. The zero-side yard setback variance request is contingent on the final design layout of the development. The applicant may not require this side yard variance after plat lot design is completed. However, the applicant is seeking Board approval to have favorable lot design options in the plat layout process.

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Staff has provided definitions of “patio home “as follows:

Patio home means a dwelling unit that does not have party walls but has one or more walls built on the side property line and does not have windows, doors or other openings in these walls.

Port Lavaca Code of Ordinances:

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42S_UPL_ARTIINGE_S42-1DE

A patio home or cluster home is an American house in a suburban setting. It can be a small, freestanding structure very close to the neighbor or part of a unit of several houses attached to each other, typically with shared walls between units, and with exterior maintenance and landscaping provided through an association fee. Not all of these elements are present in all buildings called patio homes, as the term is used somewhat generically by the real estate industry.

Wikipedia: https://en.wikipedia.org/wiki/Patio_home

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.

(3) *Patio homes.*

a. *Area requirements.* The area requirements for patio homes shall be the same as for townhouses.

b. *Coverage requirements.* The coverage requirements for patio homes shall be the same as for townhouses.

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.

2. A private yard may have a patio cover or roof that does not cover more than 25 percent of the private yard.

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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 patio home lots are backing a public street.

d. *Setback requirements.*

1. The planning commission may approve a lesser front setback than what is 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.

2. All zero side lot lines shall be designated on the subdivision plat, and each lot shall have only one zero lot line. No windows, doors, or other dwelling openings shall be allowed on the zero-lot line.

3. A minimum of six feet shall be maintained between each patio home, and the six-foot building line shall be indicated on the patio home subdivision plat.

e. *Utility meters.* There shall be separate utility meters for each patio home.

f. *Parking and driveway requirements.* These requirements shall be the same as for townhouses.

g. *Subdivision plat.* All patio home subdivision plats must contain the following statement:
"This (development, section, lot, etc.) shall be restricted to patio homes only."

Department Comments:

Engineering: If approval is granted for this location to be developed as a triplex 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.

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.

Public Works: If approval is granted for this location to be developed as a triplex 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.

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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 replat process.

Planning Commission: APPROVED

Planning Commission approves the conceptual plan from Mr. Tony Magana for a medium-density residential triplex development located in Claret Crossing subdivision lots 53-58.

Attachments:

- Mr. Magana – Triplex lots
- Triplex 2 Units
- Triplex renderings