



PLANNING BOARD MEETING- SEPTEMBER 7, 2021

Tuesday, September 07, 2021 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 meeting TUESDAY, SEPTEMBER 07, 2021 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:

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application "ZOOM".

Join Zoom Meeting:

<https://us02web.zoom.us/j/83811284338?pwd=N1FXNnVIWU9IUzZ2T1lzRWZEWek4Zz09>

Meeting ID: 838 1128 4338

Passcode: 408753

One Tap Mobile

+13462487799,,82182482989#,,, *912619# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

ROLL CALL

CALL TO ORDER

APPROVAL OF MINUTES

1. Approval of Minutes 08-02-21

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

2. Consider and discuss approval of the Dry Tinder Square Replat being all of lots 1 and 2 of block 1 of the Rafei Subdivision, Calhoun County, Texas. To replat 2 lots into 3 lots. Located on Bauer Street, north of Austin Street. The property identification numbers for this replat are as follows: PIN 86471 and PIN 86472.
3. Consider and discuss approval of a 3-lot final minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.
4. Consider and discuss approval of a conceptual multifamily apartment complex. To be located on Alcoa Drive also known as FM 1090. The legal description for each lot is A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 7.02 and 0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96. Property identification numbers are 40462 and 90212.
5. Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 75 ft. high freestanding pole sign with a 360 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

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, September 07, 2021**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, September 03, 2021**.

Jessica Carpenter, *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: Approval of Minutes 08-02-21

INFORMATION:

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application “ZOOM”. The Planning Board meeting begins at 5:30 PM central time on the first Monday of every month. You may make public comments in-person and on Zoom by logging on with your computer and/or smart phone as described in the Zoom invitation.

This August 2, 2021, meeting was a regular Planning Board meeting held on the first Monday of the month.

Members in attendance in-person or by Zoom are as follows:

Mike Elgin	Board Chairman
Mark Howell	Board Member
Gary Crone	Board Member
Justin Weaver	Board Member
Sheryl Cuellar	Board Member
Lindsey Huang	Board Member

And with the following Board Members absent:

Betty Birdwell	Board Member
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Constituting a quorum for the transaction of business, at which time the following business was transacted:

Board Chairman Mike Elgin called the meeting to order and presided.

MINUTES:

Board Member Mark Howell made a motion

THAT the Planning Board hereby approves the minutes of the special meeting held on June 21, 2021.

Board Member Gary Crone seconded the motion.

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Consider and discuss approval of a conceptual restaurant & retail development, Big Daddy’s Bar and Grill with gift shop. To be located north of SH 35 and east of Village Road. This property is not platted at this time, but will be approximately 2 acres, being a portion of the remainder of a 19.322-acre tract of land conveyed to Port Lavaca Investors, LTD., recorded in volume 67, page 943 in official records of Calhoun County, Texas.

Board Member Gary Crone made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve the conceptual restaurant and retail development, Big Daddy’s Bar and Grill with gift shop.

Board Member Justin Weaver seconded the motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Consider and discuss approval of a conceptual fast-food restaurant with a drive-thru, Burger King. To be generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N.

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve the conceptual fast-food retraunt with drive-thru, Burger King,

Board Member Sheryl Cuellar seconded the motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Consider and discuss approval of K’s Sno Cone Hut, to be located 449 Broadway Street, within the city limits of Port Lavaca. This site is generally located west of Broadway Street and east of Commerce Street just north of the intersection of Broadway and Commerce. The property identification

number is 91079. The legal description for this parcel is North End, Block C, Lot A, Port Lavaca, Texas.

Board Member Justin Weaver made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to approve K's No Cone Hut with displaying a revised site plan with the best available flow and cueing of the drive-thru traffic be submitted and presented before City Council.

Board Member Mark Howell seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Consider and discuss approval of a conceptual plan for a proposed medium-density residential four-plex development. Legal description is RAFEI SUBD (PORT LAVACA), LOT 1 AND LOT 2. Property identification number 86471 and 86472.

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve the conceptual plan for a proposed medium-density residential four-plex developmet.

Board Member Gary Crone seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, & Weaver

NAYS: None

Consider and discuss approval of a 3-lot preliminary minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

Board Member Mark Howell made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve the 3-lot preliminary minor plat, Howlett’s subdivision generally located at the northeast corner of Austin Steer and Henry Barber Way.

Board Member Justin Weaver seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Consider and discuss approval for a Variance Request for a corner lot that shall have a minimum ten-foot setback on the side street, but the setback is 7-feet 6-inches for an open walled carport on a corner lot side street. The carport is under construction at the location of 1323 Algee Drive.

Board Member Justin Weaver made a motion

THAT in accordance with the recommendation of staff, the Planning Board hereby makes recommendation to City Council to approve the Variance Request for a corner lot that shall have a minimum of ten-foot setback on the side street, but the setback is 7-feet 6-inches for an open walled carport on a corner lot side street.

Board Member Maark Howell seconded the motion

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

GENERAL DISCUSSION, REPORTS AND HEAR STATEMENT FROM CITIZENS

No citizens present.

ADJOURN

Board Member Justin Weaver made a motion to adjourn the meeting.

Board Member Mark Howell seconded this motion.

Motion passed by the following vote:

AYES: Elgin, Howell, Crone, Cuellar, Huang & Weaver

NAYS: None

Meeting adjourned.

CHAIRMAN

ATTEST:

Jessica Carpenter, Director of Development Services

COMMUNICATION

SUBJECT: Consider and discuss approval of the Dry Tinder Square Replat being all of lots 1 and 2 of block 1 of the Rafei Subdivision, Calhoun County, Texas. To replat 2 lots into 3 lots. Located on Bauer Street, north of Austin Street. The property identification numbers for this replat are as follows: PIN 86471 and PIN 86472.

INFORMATION:

CITY OF PORT LAVACA

MEETING: September 07, 2021 **AGENDA ITEM** _____

DATE: 08.23.2021

TO: PLANNING BOARD

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of the Dry Tinder Square Replat being all of lots 1 and 2 of block 1 of the Rafei Subdivision, Calhoun County, Texas. To replat 2 lots into 3 lots. Located on Bauer Street, north of Austin Street. The property identification numbers for this replat are as follows: PIN 86471 and PIN 86472.

Sec. 42-106. - Application—Required.

The subdivider or his duly authorized representative shall appear before the planning commission, at an official meeting, and submit a formal application for replat approval.

Applicant has adhered to the proper subdivision replat application submittal and review procedural process prior to presentation before the Planning Board.

The intent of this replat of lots 1 and 2 of block 1 of Rafei Subdivision is to replat 2 lots into 3 lots. The purpose is to develop each of the three lots with a 4-unit multi family structure on each lot. The proposed development is 0.62 acres and will have a total of 12 units.

The proposed medium-density four-plex residential townhome development preliminary site plan does display setbacks and the structures do appear to meet minimum setback requirements.

The development team has participated in a predevelopment meeting with city staff and the terms of development were discussed for adherence.

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 received Planning Board approval on August 02, 2021, and City Council approval on August 09, 2021, for this property to be developed as a medium-density residential four-plex development.

Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Preliminary Plat request is compliant and will meet the ordinance as presented.

Sec. 42-5. - Policy.

(a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper

approval of the planning commission. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning commission in accordance with this chapter.

The applicant is compliant with the replat process prior to submitting any building plans for the multifamily residential development.

Comprehensive Plan:

Top Issues Related to Community Character:

- Lack of quality affordable housing for young professionals, middle-class, and retirees (pg. 97 Comprehensive Plan)

<https://www.portlavaca.org/wp-content/uploads/2016/06/PortLavacaCompPlan2018reduced.pdf>

Department Comments:

Engineering: Sidewalks are required the length of the frontage of the plat.

Development Services: Comply with building permit processes upon replat approval and recordation.

Staff Recommendation: Approval

Approval of the Dry Tinder Square Replat being all of lots 1 and 2 of block 1 of the Rafei Subdivision, Calhoun County, Texas. To replat 2 lots into 3 lots. Located on Bauer Street, north of Austin Street. The property identification numbers for this replat are as follows: PIN 86471 and PIN 86472.

Attachments:

- Dry Tinder Square Replat Subdivision
- Rafei Subdivision
- PIN 86471 CAD
- PIN 86472 CAD

METES AND BOUNDS

FIELD NOTES FOR RAFEI SUBDIVISION, A 0.622 ACRE ADDITION IN CALHOUN COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME Z, PAGE 811 OF THE PLAT RECORDS OF CALHOUN, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH CAPPED IRON ROD FOUND AT THE SOUTHERLY CORNER OF SAID RAFEI SUBDIVISION, SAID POINT ALSO BEING THE SOUTHERLY CORNER OF LOT 2 OF SAID RAFEI SUBDIVISION AND BEING NORTHEAST RIGHT-OF-WAY (R.O.W.) LINE OF BAUER DRIVE (60 FOOT R.O.W.);

THENCE NORTH 36°57'50" WEST, ALONG SAID NORTHEAST R.O.W. LINE AND THE SOUTHWEST LINE OF SAID RAFEI SUBDIVISION, AT 121.89 FEET PASSING THE WESTERLY COMMON CORNER OF LOT 1 AND LOT 2 OF SAID SUBDIVISION, CONTINUING FOR A TOTAL DISTANCE 237.57 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND AT THE WESTERLY CORNER OF SAID RAFEI SUBDIVISION, SAID POINT ALSO BEING THE WESTERLY CORNER OF LOT 1 OF SAID SUBDIVISION;

THENCE NORTH 49°05'05" EAST, ALONG THE NORTHWEST LINE OF SAID RAFEI SUBDIVISION AND SAID LOT 1, A DISTANCE OF 120.29 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND AT THE NORTHERLY CORNER OF SAID RAFEI SUBDIVISION AND ALSO BEING THE NORTHERLY CORNER OF SAID LOT 1;

THENCE SOUTH 36°57'50" EAST, ALONG THE NORTHEAST LINE OF SAID RAFEI SUBDIVISION AND SAID LOT 1, AT 123.97 FEET PASSING A 1/2 INCH CAPPED IRON ROD FOUND AT THE EASTERLY COMMON CORNER OF SAID LOT 1 AND LOT 2 AND CONTINUING FOR A TOTAL DISTANCE 90.00 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND AT THE EASTERLY CORNER OF SAID RAFEI SUBDIVISION AND SAID LOT 2;

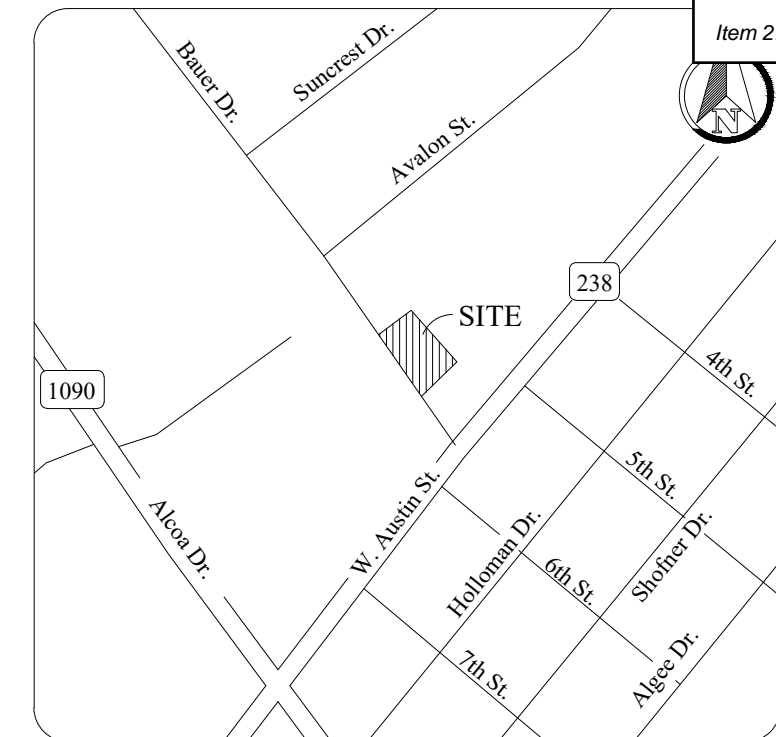
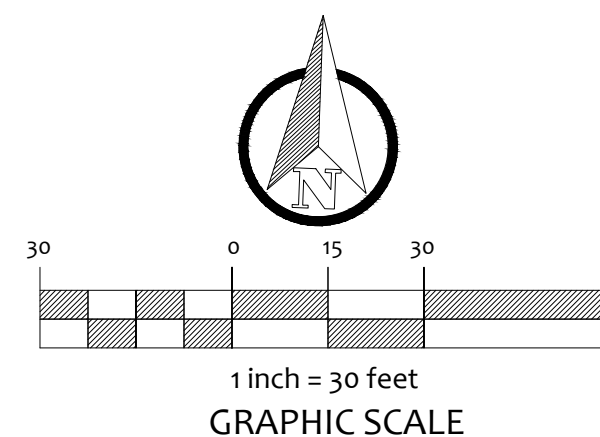
THENCE SOUTH 38°09'22" WEST, ALONG THE SOUTHEAST LINE OF SAID RAFEI SUBDIVISION AND SAID LOT 2, A DISTANCE OF 124.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.622 ACRES (27,094 SQUARE FEET) OF LAND, MORE OR LESS.

BENCHMARK INFORMATION:

NGS BENCH MARK NO. AN0848
ELEVATION = 14.90'

ALL ELEVATIONS AS SHOWN HAVE BEEN ADJUSTED -0.30' TO RM AN0848
REFERENCE ELEVATION= 14.90

TBM "A"
60D NAIL SET ON LIGHT POST
ELEVATION = 18.26'



VICINITY MAP
NOT TO SCALE

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

WE, DRY TINDER CAPITAL, LLC, ACTING BY AND THROUGH ROMMY FOTEH BEING AN OFFICER OF DRY TINDER CAPITAL, LLC, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREIN AS DRY TINDER SQUARE TO THE CITY OF PORT LAVACA, TEXAS AND WHOSE NAME IS SUBSCRIBED HERE TO, HEREBY DEDICATED TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

IN TESTIMONY WHEREOF, DRY TINDER CAPITAL, LLC HAS CAUSED THESE PRESENT TO BE SIGNED BY ROMMY FOTEH, ITS PRINCIPAL, ON THIS _____ DAY OF _____, 2021.

DRY TINDER CAPITAL, LLC

BY: _____
DRY TINDER CAPITAL, PRINCIPAL

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROMMY FOTEH, PRINCIPAL KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AN FOR FOR THE STATE OF TEXAS.

MY COMMISSION EXPIRES: _____

CITY COUNCIL CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF CALHOUN

I, MANDY GRANT, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS APPROVED BY CITY COUNCIL OF SAID CITY AS

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS _____ DAY OF _____, 2021.

BY: _____
CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF CALHOUN

I, ANNA GOODMAN, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT OF TINDER SQUARE, WITH CERTIFICATE OF AUTHENTICATION WAS FILED FOR

RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2021, _____ O'CLOCK _____ M AND WAS DULY

RECORDED ON THE _____ DAY OF _____ IN VOLUME _____, PAGE _____ OF THE CALHOUN COUNTY DEED RECORDS,

SLIDE NO. _____

BY: _____
COUNTY CLERK
CALHOUN COUNTY
STATE OF TEXAS

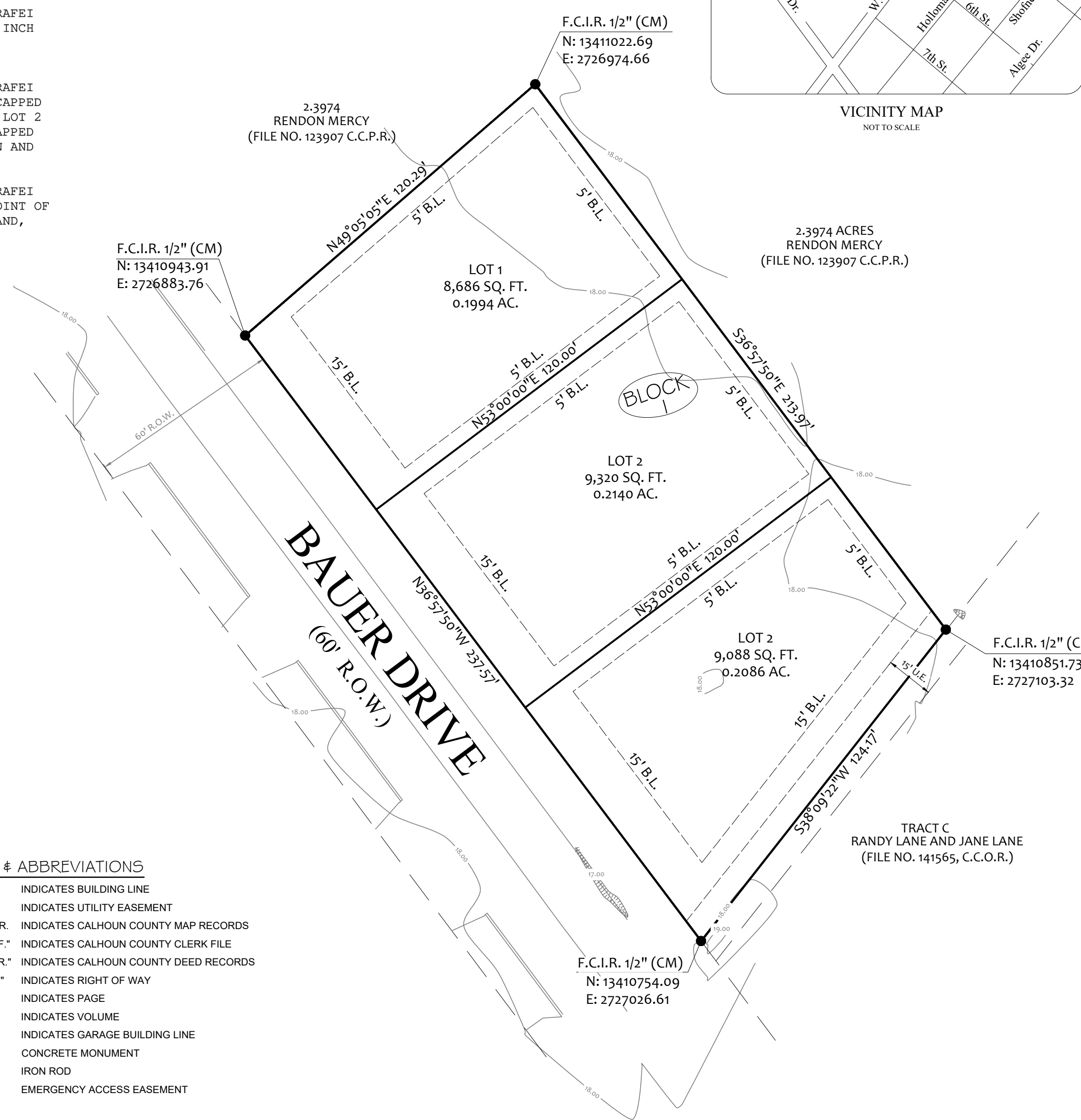
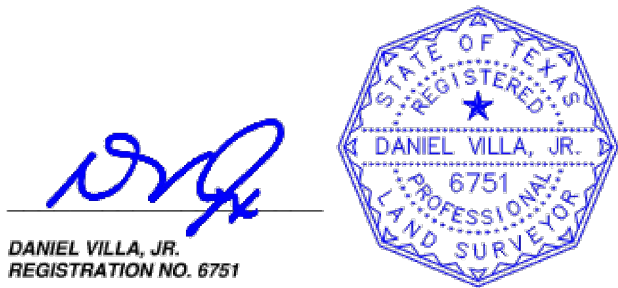
CALHOUN COUNTY APPRAISAL DISTRICT

STATE OF TEXAS
COUNTY OF CALHOUN

I, HEREBY CERTIFY THAT NO DELINQUENT AD VALOREM TAXES ARE OWED ON THE REAL PROPERTY OF THIS AMENDED

PLAT. SIGNED THIS THE _____ DAY OF _____, 2021.

BY: _____
JESSE HUBBELL
CHIEF APPRAISER



LEGEND & ABBREVIATIONS

- "B.L." INDICATES BUILDING LINE
- "U.E." INDICATES UTILITY EASEMENT
- "C.C.M.R." INDICATES CALHOUN COUNTY MAP RECORDS
- "C.C.C.F." INDICATES CALHOUN COUNTY CLERK FILE
- "C.C.D.R." INDICATES CALHOUN COUNTY DEED RECORDS
- "R.O.W." INDICATES RIGHT OF WAY
- "PG." INDICATES PAGE
- "VOL." INDICATES VOLUME
- "G.B.L." INDICATES GARAGE BUILDING LINE
- "C.M." CONCRETE MONUMENT
- "I.R." IRON ROD
- "E.A.E." EMERGENCY ACCESS EASEMENT

LOT COVERAGE TABLE			
LOT #	LOT SIZE (S.F.)	BLDG. COVERAGE (S.F.)	% COVERAGE
1	8,686	5,211.60	60% MAX
2	9,320	5,592.00	60% MAX
3	9,088	5,452.80	60% MAX
DWELLING UNIT DENSITY TABLE			
TOTAL NO. OF DWELLING UNITS	TOTAL GROSS ACREAGE	TOTAL PROJ. DENSITY (UNITS PER AC.)	
12	0.6220	19.29	

PARKS AND OPEN SPACE TABLE	
NUMBER OF EXISTING DWELLING UNITS	0
NUMBER OF PROPOSED DWELLINGS	12
NUMBER OF INCREMENTAL PROPOSED DWELLINGS	12
NO LAND IS BEING ESTABLISHED AS PRIVATE PARK OR DEDICATED TO THE PUBLIC FOR PARK PURPOSES	
I HEREBY CERTIFY THAT THE INFORMATION PROVIDED IS TRUE	

FLOODPLAIN NOTE
* THIS TRACT IS LOCATED OUTSIDE THE 100-YEAR YEAR FLOOD PLAIN IN UNSHADED ZONE X AS LOCATED BY FEDERAL INSURANCE ADMINISTRATION DESIGNATED FLOOD HAZARD AREA MAP No. 48057C0185E, DATED 10/16/2014.
100-YR BASE FLOOD ELEVATION = N/A
500-YR DESIGNATED FLOOD ELEVATION = N/A

**PRELIMINARY PLAT
DRY TINDER SQUARE**

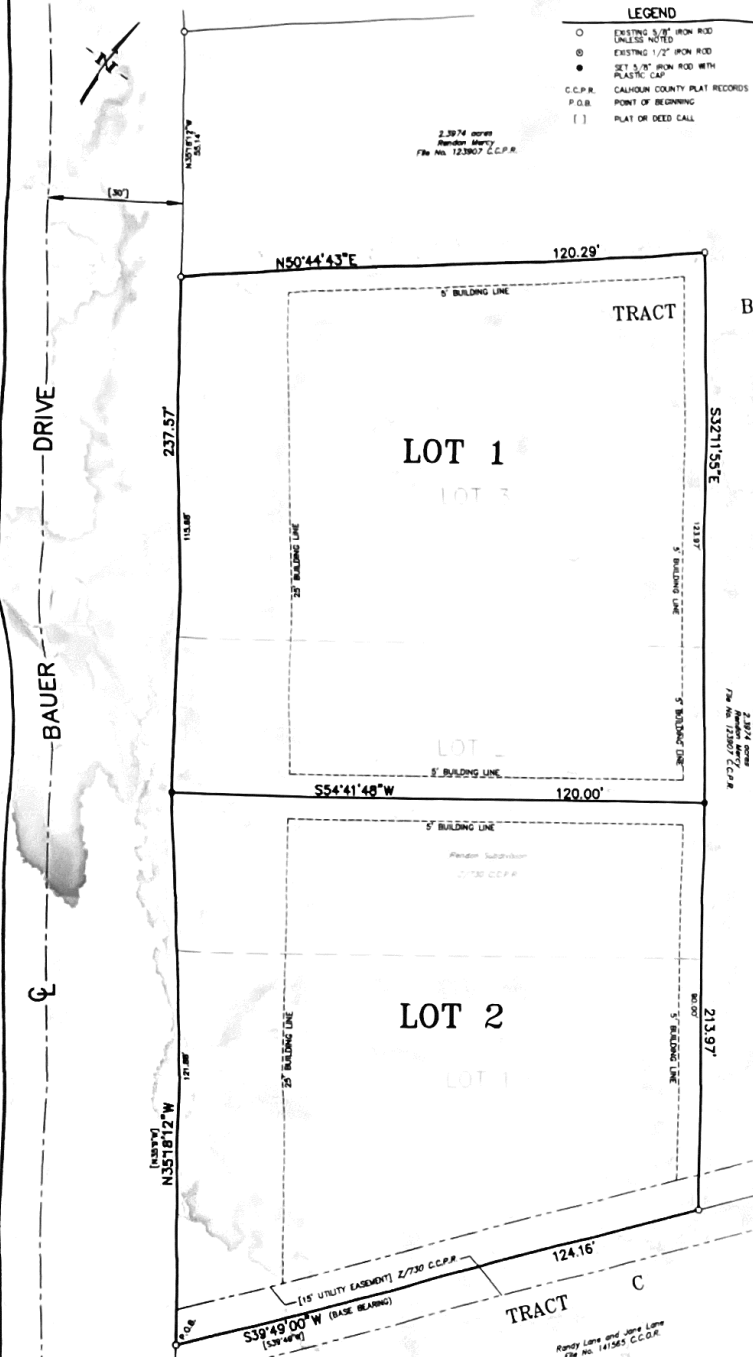
BEING A 0.6220 ACRE (27,094 S.F.) TRACT OF LAND, BEING ALL OF LOTS 1 AND 2, BLOCK 1 OF RAFEI SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME Z, PAGE 811 OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS

REASON FOR REPLAT: TO CREATE THREE (3) LOTS
SCALE 1"=30' AUGUST 2021
1 BLOCK, 3 LOTS

OWNER: DRY TINDER CAPITAL LLC 26 AVIANO CIRCLE MISSOURI CITY TX 77459 TEL: (832) 492-3485	SURVEYOR: DVJ LAND SURVEYING 5295 HOLLISTER STREET HOUSTON, TX 77040 DIR: (832) 518-9910 DVJLANDSURVEYING.COM FIRM NO. 10194609	ENGINEER: CAS CONSULTANTS, LLC 6201 BONHOMME BLVD SUITE 315N HOUSTON TX 77058 PHONE: 281-341-1270 WWW.CASENGS.COM TBPE FIRM NO. 15593
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RAFEI SUBDIVISION

A 0.62 ACRE SUBDIVISION
 REPLAT OF LOTS 1, 2 & 3 OF RENDON SUBDIVISION Z/730 C.C.P.R.



- LEGEND**
- EXISTING 3/8\"
 - ⊙ EXISTING 1/2\"
 - SET 5/8\"
 - C.C.P.R. CALHOUN COUNTY PLAT RECORDS
 - P.O.B. POINT OF BEGINNING
 - [] PLAT OR DEED CALL

2.3974 acres
 Rendon Survey
 File No. 123807 C.C.P.R.

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
 COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS PATED SUBDIVISION TO THE CITY OF PORT LAVACA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, DRAINAGE, ENCLOSURES AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

E.N. Rafei
 QUEST IRA, INC.
 ETHAN RAFEI

STATE OF TEXAS
 COUNTY OF Calhoun

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ETHAN RAFEI, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15 DAY OF February 2018
Glynis King
 GLYNIS KING
 Notary Public, State of Texas
 My Commission Expires
 JUNE 20, 2019

CITY COUNCIL CERTIFICATE APPROVAL

STATE OF TEXAS
 COUNTY OF CALHOUN

I, MANDY GRANT, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME 38 PAGE 171 OF THE MINUTES OF THE PLANNING BOARD OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS 23 DAY OF FEBRUARY 2018
Mandy Grant
 CITY SECRETARY
 CITY OF PORT LAVACA, CALHOUN COUNTY
 STATE OF TEXAS

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
 COUNTY OF CALHOUN

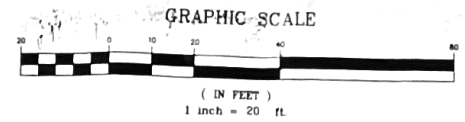
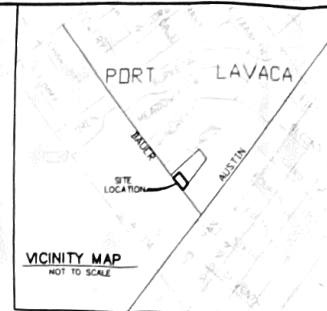
I, ANNA GOODMAN, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT OF PATED SUBDIVISION WITH CERTIFICATE OF AUTHORIZATION WAS FILED FOR RECORD IN MY OFFICE ON THE 24TH DAY OF FEBRUARY 2018, 10:29 O'CLOCK A.M., AND WAS DULY RECORDED ON THE 24TH DAY OF FEBRUARY 2018 IN VOLUME 38 PAGE 111 OF THE CALHOUN COUNTY DEED RECORDS, SLIDE NO. 5408

Anna Goodman
 COUNTY CLERK
 COUNTY OF CALHOUN
 STATE OF TEXAS
 By: *Travis Sampson, Deputy*
 INSTR. # 146732

CALHOUN COUNTY APPRAISAL DISTRICT

I, HEREBY CERTIFY THAT NO DELINQUENT AD VALOREM TAXES ARE OWED ON THE REAL PROPERTY OF THIS AMENDED PLAT

SIGNED THIS 16th DAY OF February 2018
 BY *Spencer Shell*
 JESSIE RUBBELL
 CHIEF APPRAISER



FIELDNOTE DESCRIPTION
 0.62 ACRE

STATE OF TEXAS
 COUNTY OF CALHOUN

ALL OF THAT CERTAIN TRACT OR PARCEL CONTAINING 0.62 ACRE SITUATED IN THE MAXIMO SANCHEZ LEAGUE, ABSTRACT NO. 35 OF CALHOUN COUNTY, TEXAS AND BEING ALL OF LOTS 1, 2 AND 3 OF THE RENDON SUBDIVISION ACCORDING TO PLAT RECORDED IN VOLUME Z, PAGE 370 OF THE PLAT RECORDS OF CALHOUN COUNTY, TEXAS AND BEING A PART OF THE SAME PROPERTY SHOWN AS TRACT "B" OF MARSHALL MEADOWS SUBDIVISION RECORDED IN VOLUME Z, PAGE 508 OF THE DEED RECORDS OF CALHOUN COUNTY, TEXAS. THIS 0.62 ACRE IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON ROD LOCATED IN THE NORTHEAST LINE OF BAUER DRIVE AND AT THE WEST CORNER OF COMMERCIAL PROPERTY TRACT "C" OF THE ABOVE REFERENCED SUBDIVISION AND AT THE SOUTH CORNER OF THE ABOVE REFERENCED TRACT "B" AND FOR THE SOUTH CORNER OF THE ABOVE REFERENCED RENDON SUBDIVISION FOR THE SOUTH CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE NORTH 35° 18' 11" WEST [DEED CALL = NORTH 35° 18' 12" WEST], WITH THE NORTHEAST LINE OF BAUER DRIVE AND THE SOUTHWEST LINE OF THE SAID TRACT "B" AND THE SOUTHWEST LINE OF RENDON SUBDIVISION, A DISTANCE OF 237.57 FEET [DEED CALL = 237.57 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED AT THE WEST CORNER OF RENDON SUBDIVISION FOR THE WEST CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE NORTH 50° 44' 43" EAST [DEED CALL = NORTH 50° 44' 43" EAST], WITH THE NORTHEAST LINE OF RENDON SUBDIVISION, A DISTANCE OF 120.29 FEET [DEED CALL = 120.29 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED AT THE NORTH CORNER OF RENDON SUBDIVISION FOR THE NORTH CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE SOUTH 32° 11' 55" EAST [DEED CALL = SOUTH 32° 11' 55" EAST], WITH THE SOUTHWEST LINE OF THE RENDON SUBDIVISION, A DISTANCE OF 213.97 FEET [DEED CALL = 213.97 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED IN THE NORTHWEST LINE OF THE SAID TRACT "C" AND IN THE NORTHWEST LINE OF A TRACT CONVEYED TO RANDY LANE AND JANE LANE RECORDED IN FILE NO. 141585 OF THE OFFICIAL RECORDS OF CALHOUN COUNTY AND AT THE EAST CORNER OF RENDON SUBDIVISION FOR THE EAST CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE SOUTH 38° 49' 00" WEST (BASE BEARING) [DEED CALL = SOUTH 38° 49' 00" WEST], WITH THE NORTHWEST LINE OF THE SAID TRACT "C" AND THE NORTHWEST LINE OF THE SAID LANE TRACT AND THE SOUTHWEST LINE OF RENDON SUBDIVISION, A DISTANCE OF 124.16 FEET [DEED CALL = 124.16 FEET] TO THE PLACE OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 0.62 ACRE.

THIS FIELDNOTE DESCRIPTION AND PLAT WERE PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

Henry A. Danlysh
 G & W ENGINEERS, INC.
 HENRY A. DANLYSH
 REGISTERED PROFESSIONAL
 LAND SURVEYOR, NO. 5088
 DATE: 2/3/16



Item 2.

H A D
DATE
OCT 29, 2015
SCALE
1" = 20'

G & W ENGINEERS, INC.
 ENGINEERING • SURVEYING • PLANNING
 1803A 7th STREET
 FOSH W. LUM, C.A.S. 77414
 (979) 323-7100
 (381) 552-4509
 TBPLS FIRM NO. 10022100

FINAL PLAT
RAFEI SUBDIVISION
 MAXIMO SANCHEZ LEAGUE
 ABSTRACT NO. 35
 CALHOUN COUNTY, TEXAS

Property Identification #: 86472

Geo ID: S0239-00000-0002-00

Situs Address: S BAUER DR PORT LAVACA, TX 77979

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: RAFEI SUBD (PORT LAVACA), LOT 2

Abstract: S0239

Neighborhood: MARSHALL MEADOWS AREA

Appraised Value: \$14,230.00

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 101200

Item 2.

Name: QUEST IRA INC

Exemptions:

DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Property Identification #: 86471

Geo ID: S0239-00010-0001-00

Situs Address: S BAUER DR DR PORT LAVACA, TX 77979

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: RAFEI SUBD (PORT LAVACA), LOT 1

Abstract: S0239

Neighborhood: MARSHALL MEADOWS AREA

Appraised Value: \$15,840.00

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 101200

Item 2.

Name: QUEST IRA INC

Exemptions:

DBA: Null

Re-Center Map



Calhoun CAD Map Search

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COMMUNICATION

SUBJECT: Consider and discuss approval of a 3-lot final minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

INFORMATION:

CITY OF PORT LAVACA

MEETING: September 07, 2021 **AGENDA ITEM** _____

DATE: 08.25.2021

TO: PLANNING BOARD

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a 3-lot final minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

Chapter 42 - SUBDIVISIONS AND PLATS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SUP_L_ARTIINGE_S42-5PO

Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Final Plat request is compliant and will meet the ordinance as presented.

Sec. 42-2. - Purpose.

(c) The city planning board, before approving any plats submitted to it, shall refer such plats to the departments, agencies, and utilities in this chapter named for their suggestions and comments by written report.

Applicant has adhered to the proper subdivision plat submittal and review procedural process prior to presentation before the Planning Board.

Sec. 42-5. - Policy.

(a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper approval of the planning board. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning board in accordance with this chapter.

The applicant is in compliance with the platting process prior to development.

Sec. 42-6. - Procedure

A plat must be approved prior to the offering for sale of any lot, tract, or building site; prior to any construction work; and before any map of said subdivision is prepared in a form for recording.

The Howlett's Subdivision final plat is 3.671-acre parcel subdivided into three (3) lots. Lot one being 0.35 acres and has an old gas station on the site. Lot two being 0.53 acres and has two metal buildings. Lot three, being 0.46 acres and has a manufactured home on site. All structures exist and have been on

site for a long duration. The final plat represents a 60' access and fire lane easement for lot 2 and lot 3 which are landlocked lots. The 60 ft. access and fire lane easement meets access easement requirements. Access and Fire Lane easement is not required to be improved to city private road standards. However, if future permits are needed, the access easement/fire lane must be improved to city road standards.

The remainder parcel will require platting prior to sale or issuance of a permit.

Preliminary minor plat was approved by the Planning Board on August 02, 2021, and City Council on August 09, 2021.

Staff Recommendation: Approval

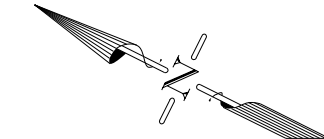
Staff recommends approval of the final minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The current legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

Attachments:

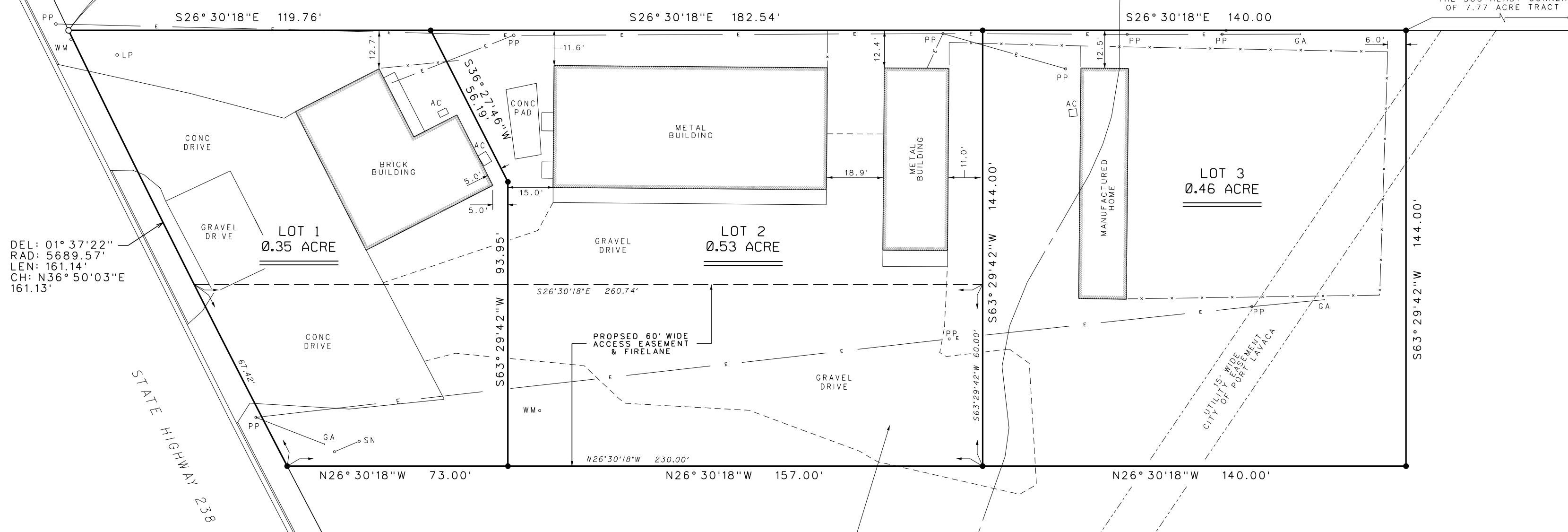
- Howlett's Subdivision
- Howlett's Subdivision CAD
- Google Map

SAMUEL SHUPE SURVEY
A - 137

RUBIN JOHN RIGGINS
AND MARY LOIS CAMPOS
DOC. NO. 105557 O.R.
REMAINDER OF 4 ACRES



FIELDNOTE
POINT OF
BEGINNING



DEL: 01° 37' 22"
RAD: 5689.57'
LEN: 161.14'
CH: N36° 50' 03" E
161.13'

WARRANTY DEED
WITH VENDOR'S LIEN
LONNIE GRAY AND
SANDRA GRAY
TO
HOWLETT'S INC.
SEPTEMBER 25, 1985
VOL. 390, PG. 3 D.R.
REMAINDER OF 7.77 ACRES

WARRANTY DEED
WITH VENDOR'S LIEN
LONNIE GRAY AND
SANDRA GRAY
TO
HOWLETT'S INC.
SEPTEMBER 25, 1985
VOL. 390, PG. 3 D.R.
REMAINDER OF 7.77 ACRES

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS HOWLETT'S SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNERS SIGNATURE
KRYSTAL KAY STRINGHAM
1659 E. MAXWELL DITCH RD.
PORT LAVACA, TX 77979

STATE OF TEXAS
COUNTY OF CALHOUN

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KRYSTAL KAY STRINGHAM KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS THE ___ DAY OF ___ 2021.

NOTARY PUBLIC
CALHOUN COUNTY, TEXAS

APPROX. LOCATION ZONE X
(0.2% ANNUAL CHANCE FLOOD)
APPROX. LOCATION
ZONE AE (EL. 12 FT.)

FLOODPLAIN NOTE
BASED ON GRAPHIC REPRESENTATION OF AND ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C0185E, MAP EFFECTIVE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED PARTIALLY IN ZONE AE (EL. 12 FT.) AND PARTIALLY IN ZONE X (0.2% CHANCE FLOOD).

CALHOUN COUNTY APPRAISAL DISTRICT
I HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITHIN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR 2021 AND ALL PRIOR YEARS.
IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/IS RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08(B)].
SIGNED THIS THE ___ DAY OF ___ 2021.
JESSE W. HUBBELL
CHIEF APPRAISER

CITY SECRETARY CERTIFICATION
I, _____, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME _____, PAGE _____ OF THE MINUTES OF THE CITY COUNCIL OF PORT LAVACA AS KEPT IN MY OFFICE.
WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA,
ON THIS ___ DAY OF ___/___/___, 20__.
CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

LEGAL DESCRIPTION
**STATE OF TEXAS
COUNTY OF CALHOUN**
BEING a 1.34 acre tract situated in the Samuel Shupe Survey, Abstract No. 137, Calhoun County, Texas, and being out of that remaining portion of a 7.77 acre tract described in Warranty Deed with Vendor's Lien dated September 25, 1985 from Lonnie Gray and Sandra Gray to Howlett's Inc. and recorded in Volume 390, Page 3 of the Deed Records of said county, and this 1.34 acre tract being more particularly described by metes and bounds as follows:
BEGINNING at an existing 5/8 inch iron rod in the southeast right-of-way line of State Highway 238, at the west corner of an adjoining 4 acre tract described in Document No. 105557 of the Official Records of said county, and at the north corner of said 7.77 acre tract for the north corner of the herein described tract;
THENCE South 26°30'18" East with the southwest line of said 4 acre tract, the northeast line of said 7.77 acre tract, and the northeast line of the herein described tract for a distance of 442.30 feet to a set 5/8 inch iron rod for the east corner of the herein described tract, said iron rod being located North 26°30'18" West a distance of 310.81 feet from an existing 2 inch iron pipe at the southeast corner of said 7.77 acre tract;
THENCE South 63°29'42" West with the southeast line of the herein described tract for a distance of 144.00 feet to a set 5/8 inch iron rod for the south corner of the herein described tract;
THENCE North 26°30'18" West with the southwest line of the herein described tract for a distance of 370.00 feet to a set 5/8 inch iron rod in the curved southeast right-of-way line of State Highway 238 and in the northwest line of said 7.77 acre tract for the west corner of the herein described tract;
THENCE with the curved southeast right-of-way line of State Highway 238 and the northwest line of the herein described tract, said curve having a delta angle of 01°37'22", a radius of 5689.57 feet, a long chord of 161.13 feet which bears North 36°50'03" East for an arc distance of 161.14 feet to the **POINT OF BEGINNING**, Containing 1.34 acres of land.

SURVEYOR CERTIFICATION
I, GEORGE CANEM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF PORT LAVACA, TEXAS.
PRELIMINARY
GEORGE A. CANEM, JR. DATE
CANEM & KELLY SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 4681

COUNTY CLERK CERTIFICATION
I, _____, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF HOWLETT'S SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS, DULY AUTHENTICATED BY CERTIFICATION OF THE CITY OF PORT LAVACA, TEXAS, ATTACHED HERETO, AS FILED FOR RECORD IN MY OFFICE ON THE ___ DAY OF ___/2021, O'CLOCK ___ M., AND WAS DULY RECORDED ON THE ___ DAY OF ___/2021, IN VOLUME _____ PAGE _____ OF THE CALHOUN COUNTY PLAT RECORDS, SLIDE NO. _____.
COUNTY CLERK

GENERAL NOTES
ADDRESS:
LOT 1:
101 STATE HIGHWAY 238
PORT LAVACA, TX 77979
LOT 2:
T.B.D.
PORT LAVACA, TX 77979
LOT 3:
T.B.D.
PORT LAVACA, TX 77979
LAND USE:
LOTS 1 & 2: COMMERCIAL
LOT 3: RESIDENTIAL
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.
BEARINGS ARE BASED ON GPS OBSERVATION NAD 83 TEXAS SOUTH CENTRAL ZONE. COORDINATES AND DISTANCES SHOWN HEREON ARE GRID.
LEGEND
○ 5/8 IRON ROD FOUND UNLESS OTHERWISE NOTED
● 5/8 IRON ROD SET UNLESS OTHERWISE NOTED
AC - AIR CONDITIONING UNIT
WM - WATER METER
MH - MANHOLE
PP - POWER POLE
GA - GUY ANCHOR
-E- OVERHEAD TELEPHONE
-X- FENCE

HOWLETT'S SUBDIVISION
A SUBDIVISION LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS
BEING A PLAT OF 1.34 ACRES WITHIN THE CITY LIMITS OF PORT LAVACA AND BEING OUT OF A 7.77 ACRE TRACT SITUATED IN THE SAMUEL SHUPE SURVEY, ABSTRACT NO. 137, AND BEING DESCRIBED IN VOLUME 390, PAGE 3 OF THE DEED RECORDS OF CALHOUN COUNTY, TEXAS.
GANEM & KELLY SURVEYING, INC.
LAWAR STREET, SUITE 5
POINT COMFORT, TEXAS 77978
(361) 987-2011
FIRM NO. 10080300
DRAWN BY : G.A.G. SCALE: 1" = 30'
CHECKED BY: G.A.G. DATE: 08/02/2021
APPROVED BY: G.A.G. JOB NO. PC21-140

Property Identification #: 40677

Geo ID: A0137-00000-0056-00

Situs Address: 101 HWY 238 PORT LAVACA, TX 77979

Property Type: Real

State Code: F1

Property Information: 2021

Legal Description: A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671

Abstract: A0137

Neighborhood: PORT LAVACA COMMERCIAL

Appraised Value: \$224,110.00

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 40677

Item 3.

Name: HOWLETTS INC

Exemptions:

DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Item 3.

101

1090

238

105

21

Aurine Dr

Peikert Ln

Peikert St

Leon Dr

Jackson St

Vail Dr

McPherson Dr

Larry Dr

Justice Dr

Olander Dr

COMMUNICATION

SUBJECT: Consider and discuss approval of a conceptual multifamily apartment complex. To be located on Alcoa Drive also known as FM 1090. The legal description for each lot is A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 7.02 and 0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96. Property identification numbers are 40462 and 90212.

INFORMATION:

CITY OF PORT LAVACA

MEETING: September 07, 2021 AGENDA ITEM _____
DATE: 08.25.2021
TO: PLANNING BOARD
FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a conceptual multifamily apartment complex. To be located on Alcoa Drive also known as FM 1090. The legal description for each lot is A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 7.02 and 0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96. Property identification numbers are 40462 and 90212.

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 multifamily apartment complex. The site location is currently not platted and is vacant land. The preliminary density is anticipated to be 75 to 150 units. This is contingent upon if the developer can purchase both lots or just one. One of the lots is currently owned by the church that is adjacent to this conceptual apartment complex location. The applicant has already approached the church to consider selling the additional lot needed to attain the 150-unit density. The church is considering the offer and may require a reconfiguration of the lots under the platting process to appease both the church and the apartment complex developer.

Future Land Use Map

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

The Future Land Use map designates this parcel as high density residential and mixed use. Therefore, the proposed apartment complex is compliant with the Future Land Use map.

Comprehensive Plan

https://www.portlavaca.org/wp-content/uploads/2016/06/PortLavacaCompPlan2018reduced.pdf

Top Issues Related to Community Character:

Lack of quality affordable housing for young professionals, middle-class, and retirees (pg. 97 Comprehensive Plan)

CITY OF PORT LAVACA

Here are the preliminary details by department:

Public Works: There is sewer and water at this location. No lift station required.

Engineering/TxDOT: Drainage is to the rear of the property where the vegetated drainage channel is located. Consult with TxDOT on the approach permits.

Fire: Consult with the fire department for fire lane access and fire hydrant requirements. Apartments require fire protection sprinkler systems.

Staff Recommendation: APPROVAL

Approval of a conceptual multifamily apartment complex. To be located on Alcoa Drive also known as FM 1090. The legal description for each lot is A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 7.02 and 0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96. Property identification numbers are 40462 and 90212.

Attachments:

- PIN 40462
- PIN 90212
- Parcel image outline

Property Identification #: 40462

Geo ID: A0137-00000-0046-00

Situs Address: Null

Property Type: Real

State Code: X

Property Information: 2022

Legal Description: A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 7.02

Abstract: A0137

Neighborhood: PORT LAVACA WEST

Appraised Value: N/A

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 80729

Item 4.

Name: CORNERSTONE ASSEMBLY OF GOD

Exemptions: EX-XV

DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Property Identification #: 90212

Geo ID: A0137-00000-0047-00
Situs Address: Null
Property Type: Real
State Code: E4

Property Information: 2022

Legal Description: A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96
Abstract: A0137
Neighborhood: PORT LAVACA WEST
Appraised Value: N/A
Jurisdictions: C04, CAD, FML, G05, GWD, NV6, S01

Owner Identification #: 101093

Item 4.

Name: MCDANIEL JANICE
Exemptions:
DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Item 4.

41946

39938

90212

40462

53597

53598

53599

53605

40345

40468

27

FM 1090

COMMUNICATION

SUBJECT: Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 75 ft. high freestanding pole sign with a 360 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

INFORMATION:

CITY OF PORT LAVACA

MEETING: September 07, 2021 **AGENDA ITEM** _____

DATE: 08.25.2021

TO: PLANNING BOARD

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss a Variance Request for the proposed Prosperity Bank sign. The variance request is for a 75 ft. high freestanding pole sign with a 360 sq. ft. surface area. This sign will be located at 1107 N SH 35 on the Prosperity Bank property.

Chapter 36 – SIGNS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH36SI

Sec. 36-6. - On-premises signs.

(a) Freestanding signs shall be subject to the following:

- (2) The maximum allowable effective area for freestanding signs will be 60 square feet.
- (3) Multifaced signs shall have a maximum effective area of 180 square feet.
- (4) The maximum allowable height shall not exceed 20 feet.

The Prosperity Bank sign variance request is for a 75 ft. high freestanding pole sign with a 360 sq. ft. surface area.

Applicant's reason for request: DIRECT HARDSHIP ON THE BUSINESS

Prosperity Bank's hardship for this location and the need for the increased height and allowed square footage on the pylon sign, is without approval on the size requested, Prosperity Bank will lack visibility and not be able to fairly advertise their business with the neighboring competition and businesses. In addition, just as the neighboring Whataburger, this site has severe visibility issues due to the power lines on the property. Prosperity Bank would like to increase the height of the pylon to 75ft. overall height pylon with approximately 360 sq. ft. main-id cabinet due to the proximity of the highway and to give their customers better visibility of the location.

In June of 2016 the City Council approved the Whataburger variance for the 75 ft. freestanding pole sign with a 355 sq. ft. surface area. Consideration was given to this variance, as this sign dimension was the prior Whataburger sign dimension in their former location. Therefore, it was reviewed with a legal nonconforming use intent.

In August of 2014 the City Council approved a variance for the Port Lavaca Ford Dealership requesting to place a sign that is 47.5 ft in height.

Staff Recommendation: Denial

Staff recommends denial of this variance request for the proposed Prosperity Bank sign. The variance request is for a 75 ft. high freestanding pole sign with a 360 sq. ft. surface area. This sign will be located at 1107 SH 35 on the Prosperity Bank property. The request is 50% greater than the sign code maximum surface area, and more than 50% greater than the sign code maximum height.

Attachments:

- Sign Variance Request – Prosperity Bank – Port Lavaca TX.PDF

**CITY OF PORT LAVACA
REQUEST FOR VARIANCE**

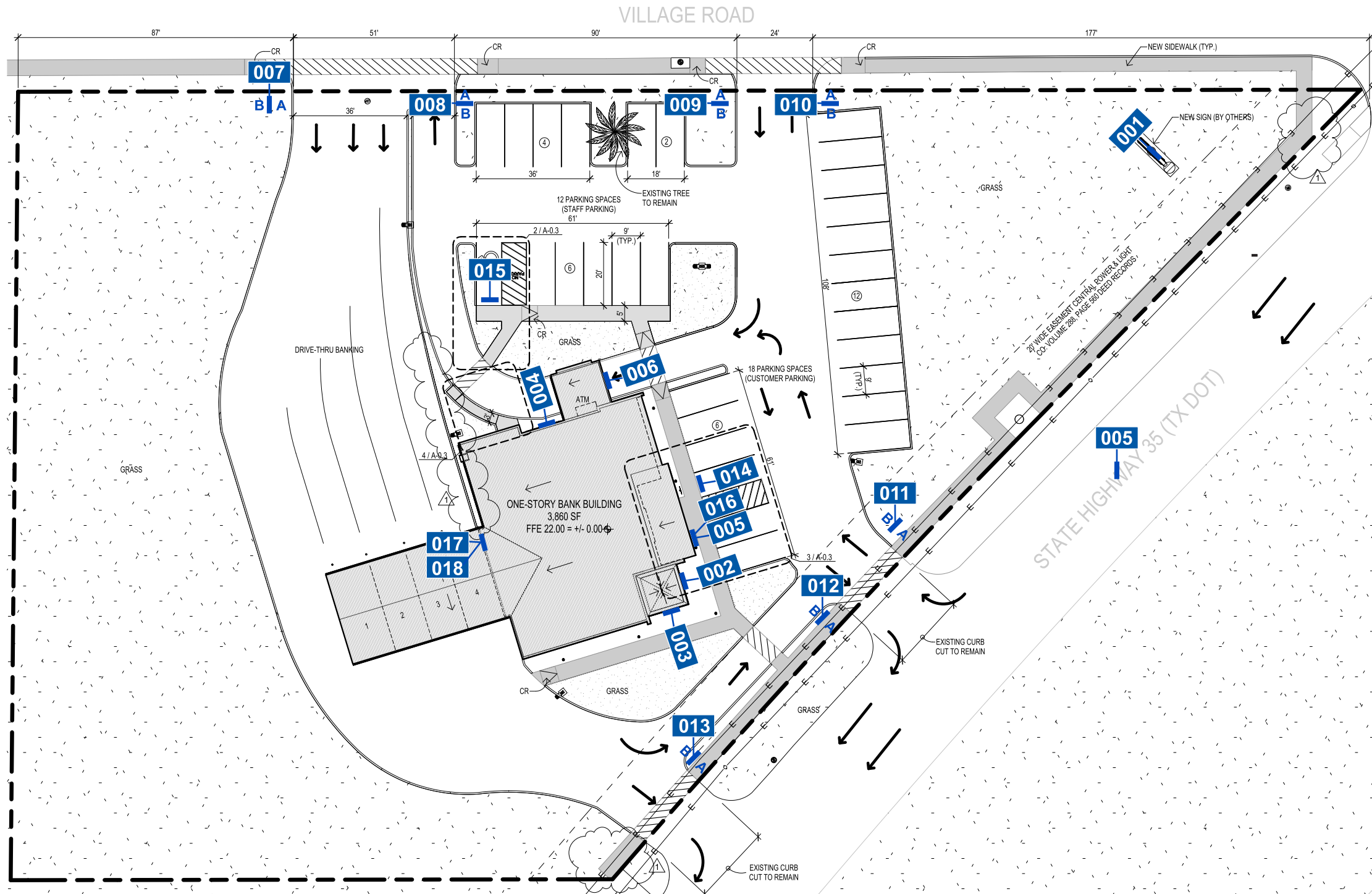
Date: August 18, 2021
Name: SSC Signs & Lighting on behalf of Prosperity Bank
Address: 1107 TX-35
Port Lavaca, TX 77979

Reason for request: DIRECT HARDSHIP ON THE BUSINESS

Prosperity Bank’s hardship for this location and the need for the increased height and allowed square footage on the pylon sign, is without approval on the size requested, Prosperity Bank will lack visibility and not be able to fairly advertise their business with the neighboring competition and businesses. In addition, just as the neighboring Whataburger, this site has severe visibility issues due to the power lines on the property. Prosperity Bank would like to increase the height of the pylon to 75’ overall height pylon with approximately 360 sqft main-id cabinet due to the proximity of the highway and to give their customers better visibility of the location.

SIGN SCHEDULE

LOCATION	SIGN TYPE	QTY	ITEM DESCRIPTION	LOCATION	SIGN TYPE	QTY	ITEM DESCRIPTION	LOCATION	SIGN TYPE	QTY	ITEM DESCRIPTION
001	PS.00	1	PYLON SIGN	008	DS.36	1	DIRECTIONAL SIGN	015	PS.01	1	PARKING SIGN
002	ICL.16	1	ILLUMINATED CHANNEL LETTERS	009	DS.36	1	DIRECTIONAL SIGN	016	DV.01	1	DOOR VINYL
003	ICL.16	1	ILLUMINATED CHANNEL LETTERS	010	DS.36	1	DIRECTIONAL SIGN	017	WV.01	1	WINDOW VINYL
004	ICL.11	1	ILLUMINATED CHANNEL LETTERS	011	DS.36	1	DIRECTIONAL SIGN	018	PB-CG	1	CLUTTER GURAD
005	ICL.41	1	ILLUMINATED CHANNEL LOGO	012	DS.36	1	DIRECTIONAL SIGN				
006	ICS.01	1	ILLUMINATED CABINET SIGN	013	DS.36	1	DIRECTIONAL SIGN				
007	DS.36	1	DIRECTIONAL SIGN	014	PS.01	1	PARKING SIGN				



NOTES

-DIRECTIONAL SIGNS TO BE PLACED 5FT AWAY FROM PROPERTY LINE

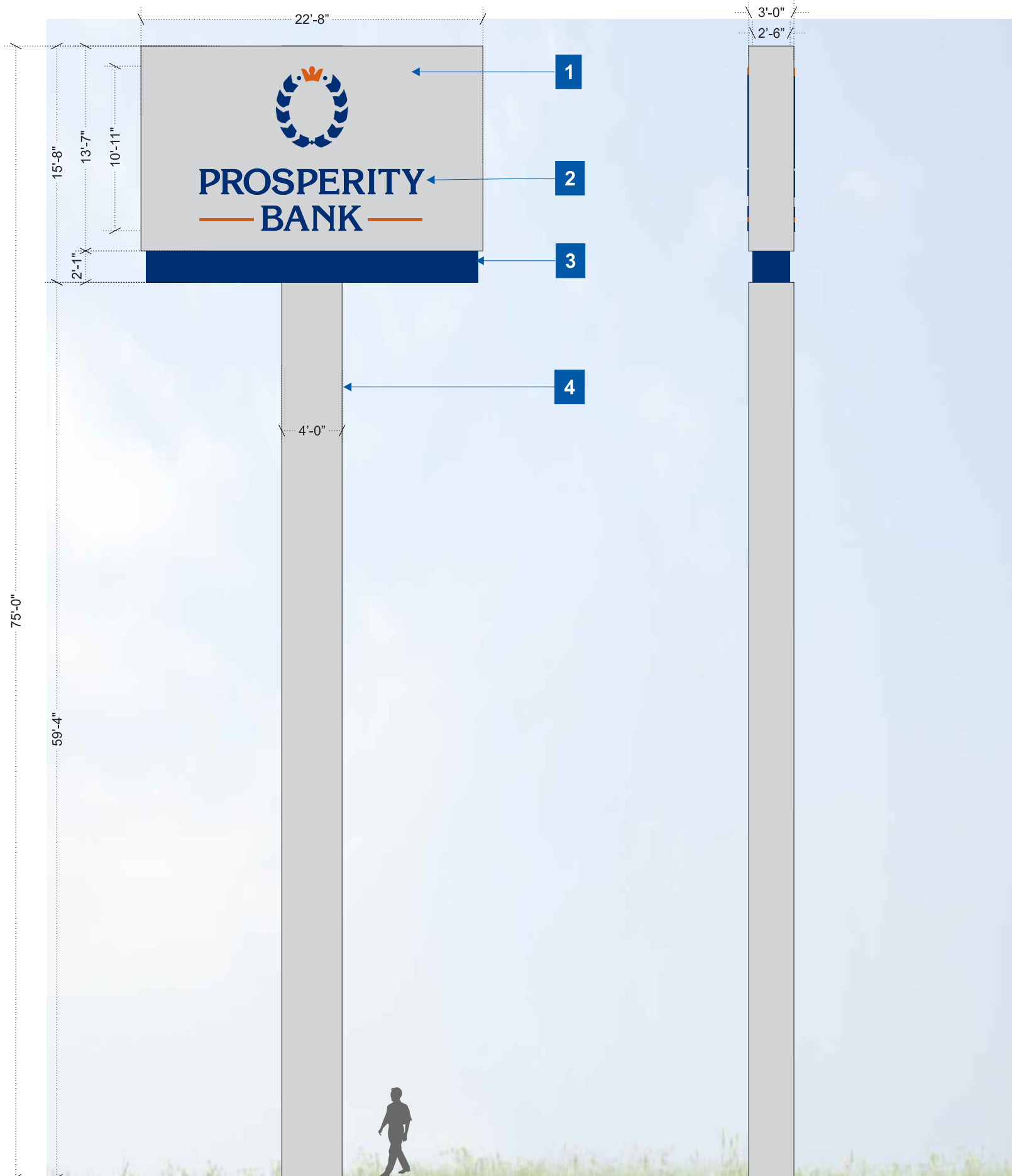
CLIENT
 PROSPERITY
 PORT LAVACA
ADDRESS
 1107 TX-35
 PORT LAVACA TX 77979
DATE 8.20.2021
DESIGNER - RH
DRAWING NO.
 21OP377-2

REVISION	DATE
1. ADD NOTE 001, REVISION SIZE 004 ADD EXIT SIGN RSH 6.8	
2. CUSTOMER REVISE RSH 8.20	

APPROVAL DATE -

APPROVED BY -

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. Dimensions are approximate & may change due to construction factors or exact field conditions. Color shown areas close as printing will allow; Always follow written specifications. All rights reserved: This design has been created for you in connection with a project being planned for you by SSC Signs & Lighting. It may not be reproduced in any manner without prior consent.



1. FABRICATED ALUMINUM SIGN CABINET W/ 2" ALUM. SQ. TUBE FRAME. .090 ALUM. ROUTED OUT FACES. CABINET PAINTED TO MATCH MP 41 342SP BRUSHED ALUMINUM.. INTERNALLY ILLUMINATED WITH EVERYLITE 3D 6500 WHITE LEDS.

2. PUSH THRU CLEAR ACRYLIC GRAPHIC WITH FIRST SURFACE TRANSLUCENT VINYL BLUE 3M 3630-36 & BURNT ORANGE 3M 3630-124. SECOND SURFACE VINYL TO BE 3M 3635-70 DIFFUSER

3. REVEAL PAINTED TO MATCH BLUE PMS 288C WITH A ALUMINUM C CHANNEL ABOVE TO ACCOMMODATE ACCENT SLOAN BLUE (701269-BLSJ1-MB) LEDS

4. FABRICATED .125 ALUMINUM CLADDING PAINTED TO MATCH BRUSHED ALUMINUM.

PRELIM ENGINEERING - WINDLOAD REQUIREMENTS FOR THIS AREA IS 120MPH, NOTE: SEALED ENGINEERING REQUIRED

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- V1 - VINYL 3M 3630-187 INFINITY BLUE
- V2 - VINYL 3M 3630-124 BURNT ORANGE
- V3 - VINYL 3M 3635-70 DIFFUSER
- P1 - PAINT TO MATCH MP 41 342SP BRUSHED ALUMINUM
- P2 - PAINT TO MATCH PROSPERITY BLUE PMS: 288C

ssanchez@portlavaca.org

To: ssanchez@portlavaca.org
Subject: FW: Pylon request-Port Lavaca

From: Thomas Petras (Corp) <Thomas.Petras@prosperitybankusa.com>
Sent: Wednesday, September 1, 2021 7:28 AM
To: William Key <william.key@blsconstruction.com>; Lorenzo Tenorio <lorenzo.tenorio@blsconstruction.com>; Joy Janak <joy.janak@blsconstruction.com>; Fawn Leal <fleal@sscsigns.com>
Subject: Re: Pylon request-Port Lavaca

Good Morning Jessica,

This is to confirm that we do want the variance to increase our visibility at this location. If you need any additional confirmation please let me know.

We appreciate your assistance with this matter.

Thomas Petras
Director of Facilities
Prosperity Bank.
