

AGENDA
PLANNING COMMISSION
REGULAR MEETING
3:30 p.m. Tuesday, February 4, 2020
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes: January 7, 2020

Documents:

[2020-01-07 PC MINUTES.PDF](#)

5. Request To Address Commission On Agenda Items Without Public Hearings And Non-Agenda Items (Three-Minute Maximum Per Speaker. If Speaking Through A Translator, Six-Minute Maximum Per Speaker)
6. New Business And Associated Public Hearings

- A. 19P-061 (18407 E De Vaca) Request For A Beachfront Construction Certificate/Dune Protection Permit In Order To Construct A Master Suite, Sunroom, And Driveway Addition. The Property Is Legally Described As Lot 54, Block 1, Indian Beach Section 2, A Subdivision In The City And County Of Galveston, Texas. Applicant: Ernie Weldon
Property Owners: Robert Edward Lordon And Josefina Lozano Lordon

Documents:

[19P-061 - STAFF REPORT - 02-04-2020.PDF](#)

- B. 19P-066 (7 Grand Beach Blvd) Request For A Beachfront Construction Certificate/Dune Protection Permit In Order To Construct A Single-Family Dwelling, Driveway, And Perimeter Fence. Property Is Legally Described As Lot 15, Block 1, The Preserve At Grand Beach (2014), A Subdivision In The City And County Of Galveston, Texas. Applicant: Galveston Custom Homes, Tom Tran Property Owner: Soul Of The Sea, LLC., Mai Dang And Tom Tran

Documents:

[19P-066 - STAFF REPORT - 02-04-2020.PDF](#)

- C. 19P-069 (11391 Beachside Drive) Request For A Beachfront Construction Certificate/Dune Protection Permit In Order To Construct A Single-Family Dwelling, Driveway, And Perimeter Fence. The Property Is Legally Described As Lot 431, Beachside Village Section 4 (2016), A Subdivision In The City And County Of Galveston, Texas. Applicant: Beachside Village Builders, Debbie Reinhart Property Owners: Samuel Dewayne Dowdy And Rhonda Islet Dowdy

Documents:

- D. 19P-070 (Adjacent To 121 Island Passage) Request For A License To Use For A Landscaping Wall Located In The Right Of Way. Adjacent Property Is Legally Described As Lot 253, Evia Phase Two (2007), A Subdivision, In The City And County Of Galveston, Texas. Applicant: Al Fichera, Fichera Builders Adjacent Property Owner: Robert Cianfrini Easement Holder: City Of Galveston

Documents:

[19P-070 PKT.PDF](#)

- E. 20P-001 (Adjacent To 2028 Postoffice / Avenue E) Request For A License To Use In Order To Install Public Art In The City Of Galveston Sidewalk Right-Of-Way. Adjacent Property Is Legally Described As M.B. Menard Survey, South Half Of Lot 14 (14-3) Block 500, In The City And County Of Galveston, Texas. Applicant: Amy Owens Adjacent Property Owners: Francisco Vargas Easement Holder: City Of Galveston

Documents:

[20P-001 PKT.PDF](#)

- F. 20P-002 (12212 San Luis Pass Road/FM 3005) Request For A Planned Unit Development (PUD) Overlay District In Order To Construct A New High-Rise Development In The Commercial, Height And Density Development Zone, Zone-6 (C-HDDZ-6). Property Is Legally Described As The West 311.7 Feet Of Lot 1, Resort Subdivision, In The City And County Of Galveston, Texas. Applicant: Brax Easterwood, AIA Property Owner: Prida Construction LTD.

Documents:

[20P-002 PKT.PDF](#)

- G. 20ZA-001 Request For A Text Amendment To The Galveston Land Development Regulations, Article 2 Uses And Supplemental Standards To Modify The Limited Standards For The "Self Storage" Land Use. Applicant: David Watson

Documents:

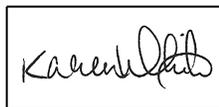
[20ZA-001 - STF PKT FINAL.PDF](#)

7. Discussion And Action Items

- Update on Beach Maintenance permits (Staff)

8. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on January 30, 2020 at 5:00 P.M.



Prepared by: Karen White, Planning Technician

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS

PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TX 77550 (409-797-3510)

MEMBERS OF CITY COUNCIL MAY BE ATTENDING AND PARTICIPATING IN THIS MEETING



City of Galveston

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GALVESTON
REGULAR MEETING – January 7, 2020

CALL MEETING TO ORDER

The meeting was called to order at 3:30 p.m.

ATTENDANCE

Members Present: Jeff Antonelli, Cate Black, Lisa Blair, Bob Brown, Eugene Cook, Jeffrey Hill, Carol Hollaway, CM John Paul Listowski

Members Absent: None

Staff Present: Catherine Gorman, AICP, Assistant Director/HPO; Virginia Greb, Assistant Coastal Resource Manager; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

APPROVAL OF MINUTES

The December 17, 2019 minutes were approved as presented.

CONFLICT OF INTEREST

None

REQUEST TO ADDRESS COMMISSION ON AGENDA ITEMS AND NON-AGENDA ITEMS (THREE MINUTE MAXIMUM PER SPEAKER)

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

BEACHFRONT

19BF-084 (Beachtown Galveston East Village, Center Village Reserves, Beachtown Galveston East Village 2nd Replat) Request for a Beachfront Construction Certificate/Dune Protection Permit in order to perform annual beach maintenance. Properties are legally described as follows: Beachtown Galveston East Village (2007), Reserve L (0-12); Center Village Reserves (2007), Pt of Reserve E6 (6-1); Center Village Reserves (2007), Pt of Reserve E6 (6-0); Beachtown Galveston East Village 2nd Replat (2015), Reserves I & J TR J-1 (0-19), subdivisions in the City and County of Galveston, Texas.

Applicant: Tofigh Shirazi

Property Owner: Beachtown Galveston Corp.

Staff presented the staff report.

Chairperson Cate Black opened the public hearing on case 19BF-084. Applicant Tofigh Shirazi presented to the Commission. For additional presentations to the Commission, please refer to the attached list. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Vice-Chairperson Jeffrey Hill made a motion to approve case 19BF-084 with staff's recommendations. Jeff Antonelli seconded, and the following votes were cast:

In favor: Antonelli, Black, Blair, Brown, Cook, Hill, Hollaway

Opposed: None

Non-voting participant: CM Listowski (Ex-Officio)

The motion passed.

19P-063 (24535 San Luis Pass Road) Request for a Beachfront Construction Certificate/Dune Protection Permit in order to construct a single-family dwelling, driveway, and dune walkover. The property is legally described as Lot 4, Stavanger Beach, a Subdivision in the City and County of Galveston, Texas.

Applicant: Wright Way Co, - James Wright

Property Owners: SDS Properties LLC, Steve Spears

Staff presented the staff report.

Chairperson Cate Black opened the public hearing on case 19P-063. Applicant James Wright of Wright Way Co. presented to the Commission. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Chairperson Cate Black made a motion to approve case 19P-063 with staff's recommendations. Bob Brown seconded, and the following votes were cast:

In favor: Antonelli, Black, Blair, Brown, Cook, Hill, Hollaway

Opposed: None

Non-voting participant: CM Listowski (Ex-Officio)

The motion passed.

OLD BUSINESS AND ASSOCIATED PUBLIC HEARINGS

TEXT AMENDMENT

19ZA-006 Request for a text amendment to the Galveston Land Development Regulations, Article 9 Landscaping to include protections for palms.

Applicant: City of Galveston

Staff presented the staff report.

Chairperson Cate Black opened the public hearing on case 19ZA-006. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Vice-Chairperson Jeffrey Hill made a motion to recommend approval of case 19ZA-006 with staff's recommendations. Jeff Antonelli seconded, and the following votes were cast:

In favor: Antonelli, Black, Blair, Brown, Cook, Hill, Hollaway

Opposed: None

Non-voting participant: CM Listowski (Ex-Officio)

The motion passed.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

TEXT AMENDMENT

19ZA-008 Request for a text amendment to the Galveston Land Development Regulations, Article 2 Uses and Supplemental Standards and Article 14 Definitions to remove the "Gun Shop" land use, modify the "Commercial Amusement, Indoor" and "Commercial Amusement, Outdoor" land uses, and add a new and unlisted land use of "Shooting Range."

Applicant: City of Galveston

Staff presented the staff report.

Chairperson Cate Black opened the public hearing on case 19ZA-008. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Bob Brown made a motion to recommend approval of case 19ZA-008 with staff's recommendations. Lisa Blair seconded, and the following votes were cast:

In favor: Antonelli, Blair, Brown, Hill

Abstain: Black, Cook, Hollaway
Non-voting participant: CM Listowski (Ex-Officio)

The motion passed.

DISCUSSION AND ACTION ITEMS

THE MEETING ADJOURNED AT 4:59 PM





19P-061

STAFF REPORT

ADDRESS:

18407 E De Vaca

LEGAL DESCRIPTION:

Property is legally described as Lot 54, Block 1, Indian Beach Section 2, a subdivision located in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Ernie Weldon

PROPERTY OWNER:

Robert Edward Lordon and
Josefina Lozano Lordon

REQUEST:

Beachfront Construction Certificate/Dune Protection Permit for construction of a master suite, sunroom, and driveway addition.

APPLICABLE LAND USE

REGULATIONS:

Chapter 29, Article 2, Beach Access Dune Protection and Beachfront Construction Regulation.

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

- A – Aerial Map
- B – Topographic Survey
- C – Site Plan & Drawings
- D – Site Photos
- E – GLO Comment Letter

STAFF:

Virginia Greb
Coastal Resources Asst. Mgr.
VGreb@GalvestonTX.gov



Note: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Executive Summary:

The City of Galveston’s Dune Protection and Beach Access Plan designates the Planning Commission as the authority to review and consider for approval of applications for a Beachfront Construction Certificate/Dune Protection Permit when the proposed construction activities will occur in areas within or seaward of the Dune Conservation Area or up to 50-feet landward of the Dune Protection Line. The Dune Protection Line is defined as the area within 25-feet landward of the North Toe of the Critical Dune Area or, for those beach areas where no dunes exist west of the terminus of the Seawall, within 200-feet landward of the Line of Vegetation.

The applicant is requesting approval to construct a master suite, sunroom, and driveway addition in an area approximately 30-feet from the North Toe of the Critical Dune Area, and within the Enhanced Construction Zone. The proposed construction is landward of the Dune Protection Line and within the Planning Commission review area. According to the application materials, the proposed construction activities appear to be landward of dunes and dune vegetation. Therefore, no mitigation activities are proposed.

Site and Surrounding Area:

The subject site is a 0.7360-acre lot located in the Indian Beach Subdivision. A single-family dwelling is located to the North of the subject property, beach area to the South, public beach access to the East, and a single-family dwelling to the West.

According to the Bureau of Economic Geology, between the 1950s and 2012 this beach area has experienced an average shoreline change rate of -4.0 to -2.3 feet per year.

Analysis:

The table below summarizes details from the applicant site plan and survey (Attachments “B” and “C”) regarding the proposed new construction and the location of proposed construction in relation to on-site conditions:

Proposed Structure’s Distance from:	Distance (Feet)
...North Toe of the Dune	~30’
...the Line of Vegetation	~100’
...South Toe of the Dune	~100’

In accordance with Chapter 29: Planning – Beach Access Dune Protection & Beach Front Construction, before issuing a permit, the Planning Commission must find that the proposed construction conforms with the following Beachfront Construction Certificate and Dune Protection Permit standards:

(1) The proposed activity is not a prohibited activity as defined in these standards.

The request conforms to the City of Galveston’s Dune Protection and Beach Access Plan, and Erosion Response Plan. The drawings, (Attachment “C”), are submitted with this request.

The proposed construction is landward of the Dune Protection Line and the Dune Conservation Area, therefore a ground floor enclosure is permitted. Note: the City’s locally adopted flood ordinance requires ground floor enclosures to be no greater than 299 square feet as measured from the outside of the enclosure.

Staff reviewed the application materials. No prohibited activities seaward of the Dune Protection Line were identified.

(2) The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of these standards.

According to Section 29-2(k) Technical Standards, the Planning Commission shall not approve an application for construction if it is determined that it will result in a material weakening and material damage of dune vegetation. The following standards are to be used to make this determination:

- a. The activity shall not result in the potential for increased flood damage to the proposed construction site or adjacent property;
- b. The activity shall not result in runoff or drainage patterns that aggravate erosion on or off the site;
- c. The activity shall not result in significant changes to dune hydrology;
- d. The activity shall not result in adverse effects on dune complexes or dune vegetation;
- e. The activity shall not significantly increase the potential for washovers or blowouts to occur; or
- f. The Commission shall not issue a Beachfront Construction Certificate and Dune Protection Permit authorizing construction unless the construction and property design is designed so as to minimize impacts on natural hydrology. Such projects shall not cause erosion to adjacent properties, critical dune areas, or the public beach.

The Technical Standards also state that the Planning Commission should take into consideration all comments from the Texas General Land Office when deciding whether to grant a Beachfront Construction Certificate/Dune Protection Permit. Should the Planning Commission approve this request, comments from the Texas General Land

Office for this request are listed in Attachment “F” and are recommended as specific conditions for this request.

The proposed construction will be required to be consistent with FEMA minimum requirements, which should not increase the potential for increased flood damage to the construction site or adjacent property.

As a result of the construction, the applicant is prohibited from affecting runoff or drainage patterns that would aggravate erosion on or off site, result in significant changes to dune hydrology, or significantly increase the potential for washovers or blowouts to occur. Runoff should be directed away from the dune area. The applicant is required to direct all non-natural drainage on the lot away from the beach and dunes, and toward the drainage infrastructure in the subdivision and in the street landward of the lot. Drainage plans are to be reviewed and approved by the City Engineering Department.

Given the proposed construction activities are taking place landward of the Dune Conservation Area, staff finds that the proposed construction will not materially weaken dunes or materially damage dune vegetation, as defined by these Technical Standards.

(3) There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the Mitigation sequence as outlined in these Standards.

The City’s Dune Protection and Beach Access Plan states that the Planning Commission shall utilize the Mitigation Sequence in determining whether to issue a permit for an activity located seaward of the Dune Protection Line, after the determination that no material weakening of dunes or material damages to dunes will occur within critical dune areas or seaward of the Dune Protection Line. The mitigation sequence is as follows:

- 1) **Avoid** the impact altogether by not taking a certain action or parts of an action;
- 2) **Minimize** impacts by limiting the degree or magnitude of the action and its implementation;
- 3) **Rectify** the impact by repairing, rehabilitating, or restoring the affected environment; and,
- 4) **Compensate** for the impact by replacing resources lost or damaged.

According to the application materials, the entirety of proposed construction will be located landward of the Dune Protection Line. Therefore, no adverse effects to dunes or dune vegetation are expected.

(4) The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, if required, will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects.

There are no construction activities proposed seaward of the Dune Protection Line with this request. Therefore, no adverse effects to dunes or dune vegetation are expected.

(5) The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and

The application conforms to the City of Galveston’s requirements for a Beachfront Construction Certificate and Dune Protection Permit and the City’s requirements for the management of the public beach.

(6) The structure is located as far landward as practicable.

This standard does not apply, as the proposed construction is not in the critical dune area.

The proposed construction is within the Enhanced Construction Zone, which is an area defined as being 125-foot landward of the Dune Conservation Area along Galveston's Gulf coast with an aggregate shoreline change of -2 to -8 feet per year. The City's Erosion Response Plan requires the following additional construction standards for any proposed construction activities within the Enhanced Construction Zone:

- Plans and certifications for proposed structures shall be sealed by a registered professional engineer licensed in the State of Texas, providing evidence of the adequacy of elevated building foundations and the proper placement, compaction, and protection of fill when used as construction for all newly constructed, substantially damaged, and substantially improved buildings elevated on pilings, posts, piers, or columns in accordance with the latest edition of specifications outlined in American Society of Civil Engineers, Structural Engineering Institute, Flood Resistant Design and Construction, ASCE 24-05.

Staff Recommendation:

Staff recommends approval of 19P-061 with the following conditions:

Specific Conditions to Case 19P-061:

1. Plans and certifications for proposed structures within the Enhanced Construction Zone shall be sealed by a registered professional engineer licensed in the State of Texas, providing evidence of the adequacy of elevated building foundations and the proper placement, compaction, and protection of fill when used as construction for all newly constructed, substantially damaged, and substantially improved buildings elevated on pilings, posts, piers, or columns in accordance with the latest edition of specifications outlined in American Society of Civil Engineers, Structural Engineering Institute, Flood Resistant Design and Construction, ASCE 24-05;
2. The applicant shall adhere to all comments from the Texas General Land Office (GLO) included in Attachment "E":
 - a. In the area seaward of 25-feet from the North Toe of the Dune, paving or altering the ground, which includes the use of fibercrete and crushed rock, is not proposed in this application and is prohibited.
 - b. In the area from 25-feet landward of the North Toe of the Dune to 200-feet landward of the line of vegetation, paving used under the habitable structure and for driveways connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in four-foot by four-foot sections, four-inches thick with sections separated by expansion joints or pervious material. A habitable structure is defined as a structure used or usable for habitation. The area beneath uncovered decks or stairs may not be paved.
 - c. The driveway must be limited to the linear width of the primary structure, along the main street, and a minimum of 15% of the front yard must be maintained as open/unimproved area.
 - d. The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.
 - e. The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the

National Flood Insurance Program.

- f. The City must ensure the proposed construction is consistent with at least the minimum FEMA requirements or with the FEMA approved local ordinance.
- g. The City must ensure the proposed habitable structure is designed for feasible relocation.
- h. Construction activities must not restrict or interfere with the public's ability to use or access the beach.
- i. The proposed construction activities must not result in the potential for increased flood damage to the proposed construction site or adjacent property, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely affect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.
- j. The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.
- k. Please be advised that the line of vegetation is dynamic. Structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of the line of mean high tide will periodically be reassessed on a case-by-case basis, and owners may be allowed to make certain repairs under the Beach/Dune rules and local government plans
- l. If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned lands. Repairs are prohibited and the state may take action to remove the structure.

Standard Conditions:

- 3. Work approved under this permit shall be completed within one (1) year from the date this permit is issued. If work is not completed in this time period, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate/Dune Protection Permit, unless an extension of the period, prior to the expiration, has been submitted to the Texas General Land Office for review and approved by the City;
- 4. Any alterations to the project, as approved, shall return to the Planning Commission and/or Texas General Land Office for additional review and approval;
- 5. All non-natural drainage from the dwelling shall be directed away from the beach and dunes, toward the street landward of the lot and to the drainage infrastructure in the subdivision, and drainage plans shall be submitted to the City of Galveston Public Works Department, Division of Engineering for approval;
- 6. The area seaward of the dwelling shall be designated a dune protection area, prohibiting any alteration of natural conditions in this area, except for any future proposed dune walkovers, approved by the Development Services Department and the Texas General Land Office under separate review;
- 7. The applicant shall coordinate any/all dune enhancement plans with the Development Services Department; and,

8. The applicant must adhere to all aspects of Section 29: Planning-Beach Access Dune Protection & Beachfront Construction.

ERP PRACTICABLE DEFINITION

Practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.

TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)

In determining what is practicable, local governments shall consider the effectiveness, scientific feasibility, and commercial availability of the technology or technique. Local governments shall also consider the cost of the technology or technique.

Respectfully Submitted,

Virginia Greb

Virginia Greb
Coastal Resources Assistant Manager

01/15/2020
Date

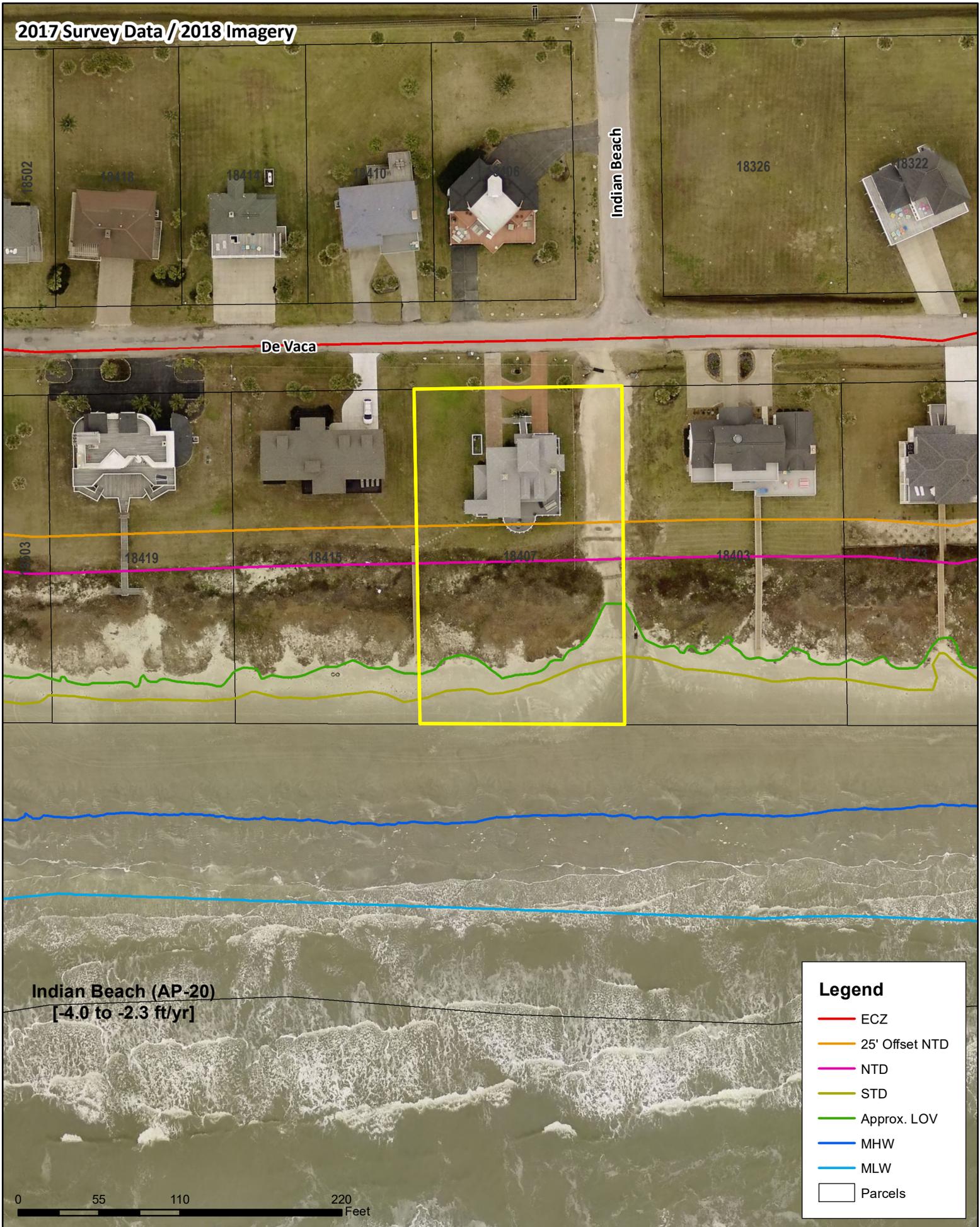
Cathy

Catherine Gorman, AICP
Assistant Planning Director / HPO

01/15/2020
Date

Attachment “A”

Aerial Map



Indian Beach (AP-20)
[-4.0 to -2.3 ft/yr]

Legend

- ECZ
- 25' Offset NTD
- NTD
- STD
- Approx. LOV
- MHW
- MLW
- Parcels

18407 E DE VACA (Case #19P-061)

Map prepared by the City of Galveston Development Services Department (VGreb) - 11/21/2019
Data Sources: Topographic Data from Atkins July 2017 wading depth surveys, 2018 Aerial Imagery and Parcel Data from Galveston CAD

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases.
Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.



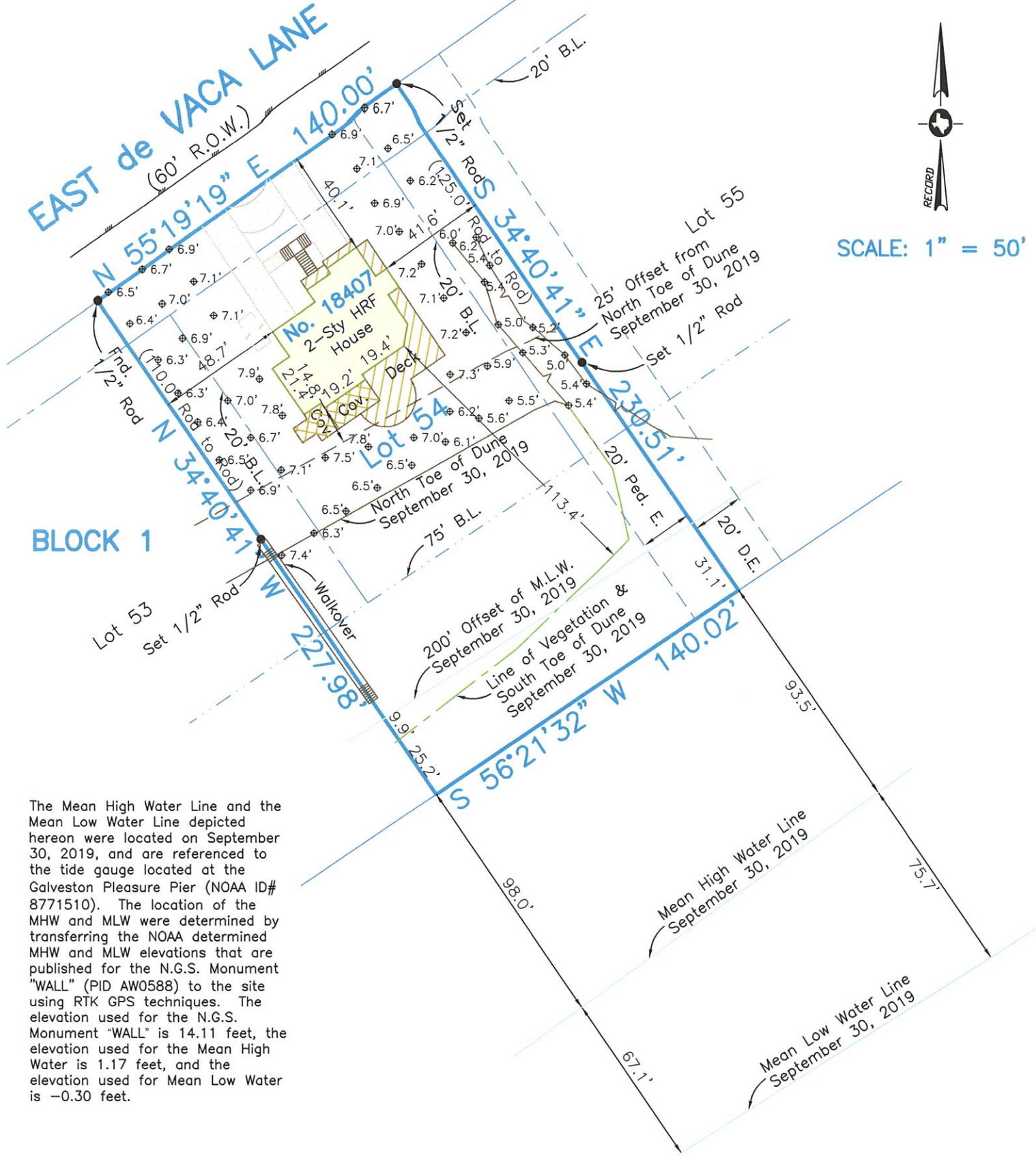
Attachment “B”
Topographic Survey

EAST de VACA LANE
(60' R.O.W.)



SCALE: 1" = 50'

BLOCK 1



The Mean High Water Line and the Mean Low Water Line depicted hereon were located on September 30, 2019, and are referenced to the tide gauge located at the Galveston Pleasure Pier (NOAA ID# 8771510). The location of the MHW and MLW were determined by transferring the NOAA determined MHW and MLW elevations that are published for the N.G.S. Monument "WALL" (PID AW0588) to the site using RTK GPS techniques. The elevation used for the N.G.S. Monument "WALL" is 14.11 feet, the elevation used for the Mean High Water is 1.17 feet, and the elevation used for Mean Low Water is -0.30 feet.

Survey of Lot Fifty-Four (54), of Block One (1) of **AMENDED PLAT INDIAN BEACH, Section Two**, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 17, Map No. 23, of the Map Records in the Office of the County Clerk of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Stephen C. Blaskey
 Stephen C. Blaskey
 Registered Professional
 Land Surveyor No. 5856



8017 HARBORSIDE DRIVE
 P.O. BOX 16142 (mailing)
 GALVESTON, TX 77552
 ph (409) 740-1517
 Registration Number: 10193855
 www.hightidelandsurveying.com

- NOTES:**
- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
 - 2) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA (call your power company).
 - 3) Bearings based on Monumentation, of South R.O.W. line of East De Vaca Lane, being a found "X" at the Northeast corner of Lot 48, and a found 1/2 inch rod at the Northeast corner of Lot 57.
 - 4) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument HGCSO 62.
 - 5) Surveyed without benefit of a Title Report.

REVISION:	NOVEMBER 12, 2019
SURVEY DATE:	DECEMBER 12, 2019
FILE No.:	4131-0001-0054-000
DRAFTING:	BSH/ATC/RGW
JOB No.:	19-0712

Attachment “C”
Site Plan
&
Drawings



SITE PLAN
 NOTES

ADDITONS FOR JOSIE & BOB LONDON
 GALVESTON, TEXAS

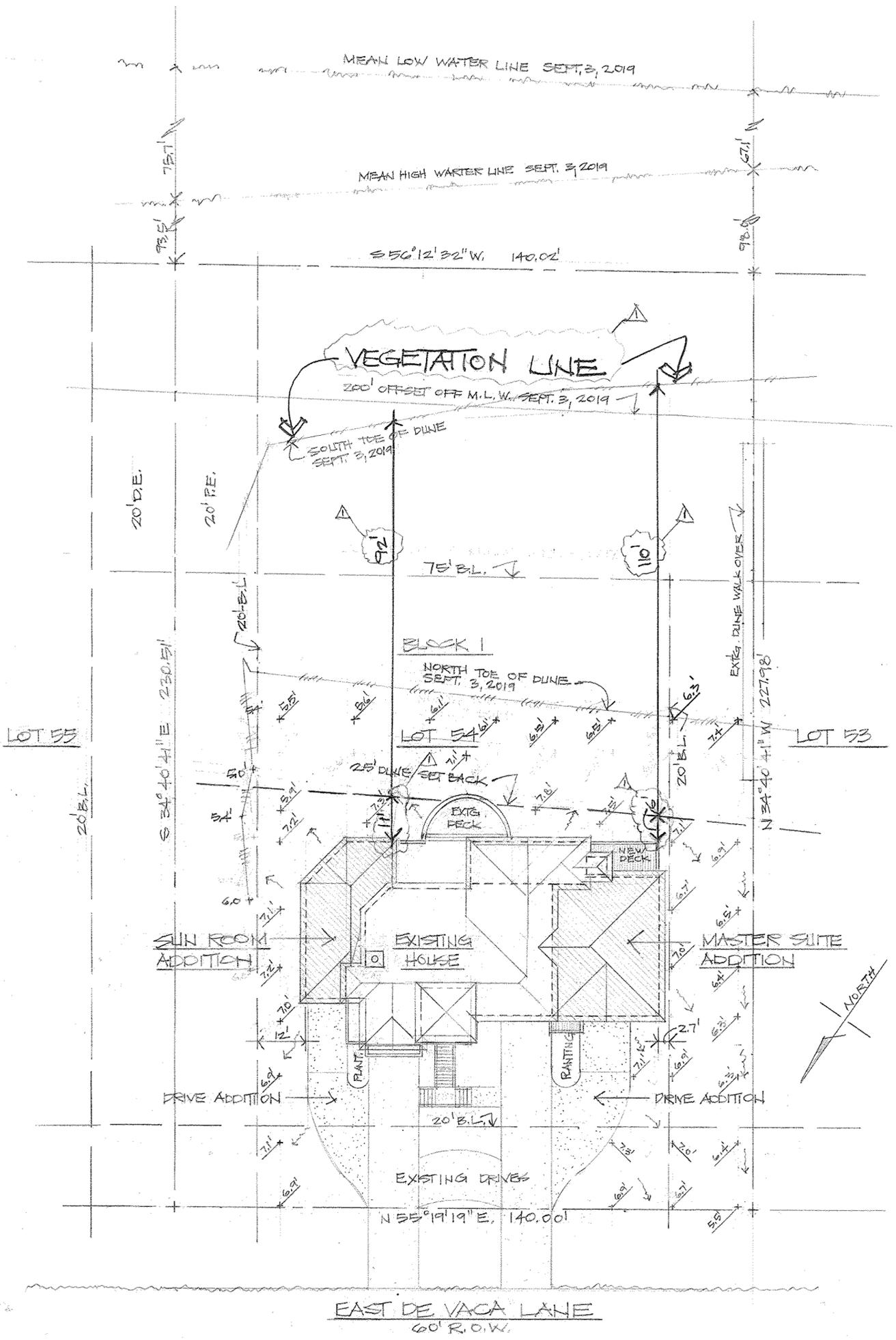
INDIAN BEACH
 A. FRANK FRANKOVICH DESIGN • 281-4821031 • FRIEDSWOOD, TEXAS

NOTES:

1. ALL CONSTRUCTION SHALL COMPLY WITH CURRENT BUILDING CODES & ORDINANCES OF ENTITIES WITH JURISDICTION: I.R.C. 2012 ASCE 7-05, OR 15-040, I.E.C. 2014, ETC. DESIGN FOR 130 M.P.H. 3 SECOND WIND GUST.
2. ALL RECRETE SHALL BE 3000 PSI @ 28 DAYS.
3. WINDOW MANUFACTURE AS APPROVED BY OWNER W/ HIGH IMPACT GLAZING. SINGLE HUNG, FIXED, & ARCHED.
4. EXTERIOR DOORS AS APPROVED BY OWNER W/ HIGH IMPACT GLAZING.
5. ALL FRAMING TO BE #2 SYP. OR BETTER, ALL LATTICE ARE TRD. SELECT. (MATCH EXTG.)
6. PROVIDE HARDI LAP SINGING. MATCH EXISTING.
7. ALL ROOF PITCHES SHALL BE 7/12...
8. ALL EXTERIOR WALLS ARE 2X6. INTERIOR WALL ARE 2X6 AND 2X4.
9. PROVIDE STUDS @ 24" O.C. FOR THE FIRST 5' FROM EACH CORNER AT EXTERIOR WALLS. PROVIDE MULTIPLE STUDS UNDER BEARING AT ALL.
10. PROVIDE HOLD DOWNS AT ALL INSIDE & OUTSIDE CORNERS & WINDOWS BY SIMPSONS STRONG TIES (MSTC 4553) INDICATED BY Ⓢ SEE FLOOR PLANS.
11. INSULATE HOT WATER LINES & ALL WATER LINES EXPOSED TO THE EXTERIOR.
12. DECK SHALL SUPPORT A UNIFORM DISTRIBUTED LIVE LOAD OF 40 PSF. STAIR HANDRAILS & GUARDS SHALL SUPPORT A UNIFORM DISTRIBUTED LOAD OF 50 PLF & CONCENTRATED LOAD OF 200 LB PER SQ. FT.
13. SHEARWALLS CONSIST OF 5/8" FLYWD. ON THE FACE OF STUDS UNDER INTERIOR WALL FINISHES.
14. ALLOWANCE ITEMS: HARDWARE, ELECTRICAL & PLUMBING FIXTURES.
15. VERIFY ALL FINISHES WITH OWNER PRIOR TO PURCHASE & INSTALLATION.
16. TILE AT ALL SHOWER & TUB ENCLOSURES.
17. ALL WATER PIPING SHALL BE CPVC SCHEDULE 40.
18. PROVIDE SMOKE DETECTORS IN ALL SLEEPING AREAS, ENTRIES & STORAGE AREAS.
19. PROVIDE ONE 200 AMP SUB PANEL. VERIFY LOCATION.
20. ALL WEATHER EXPOSED CONDUIT SHALL BE IN SCHEDULE 40 PVC CONDUIT W/ PVC BOXES W/ S.S. ANCHORS.
21. ALL HVAC EQUIPMENT SHALL COMPLY W/ 2009 ENERGY CODES. HVAC UNITS SHALL HAVE A SEER RATING OF 12. ACCEPTABLE MANUFACTURERS: CARRIER, YORK, RHEEM, LENOX OR TRANE.

SQUARE FOOTAGE:

EXISTING HOUSE	
MASTER SUITE ADDITION	865 SQ. FT.
SUN ROOM ADDITION	531 SQ. FT.
TOTAL	1396 SQ. FT.
MASTER DECK ADDITION	144 SQ. FT.



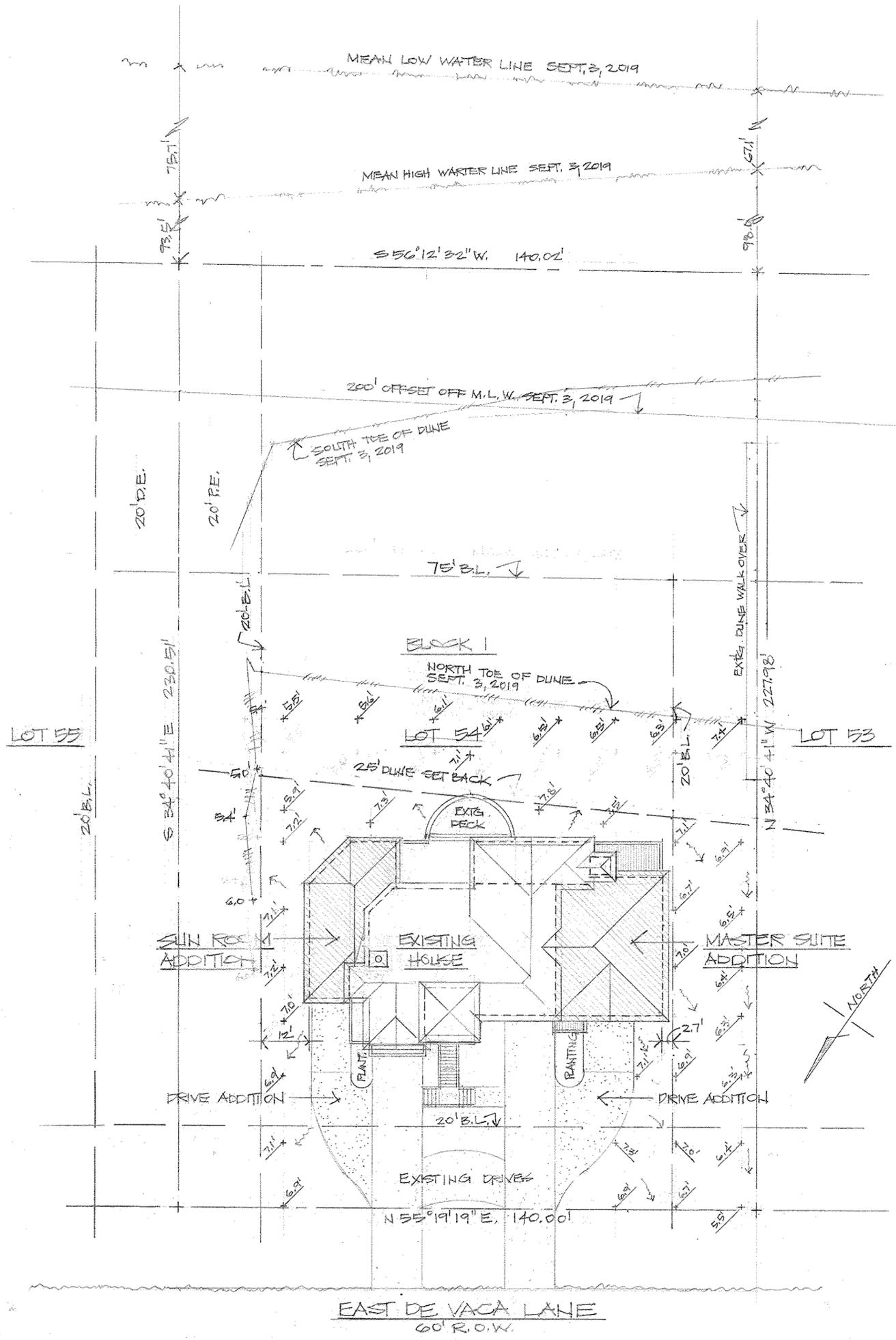
1 SITE PLAN
 1" = 20'



SITE PLAN
NOTES

ADDITIONS FOR JOSIE & BOB LONDON
INDIAN BEACH
GALVESTON, TEXAS

281-4821031 • FRIENDSWOOD, TEXAS



1 SITE PLAN
1" = 20'

NOTES:

1. ALL CONSTRUCTION SHALL COMPLY WITH CURRENT BUILDING CODES & ORDINANCES OF ENTITIES WITH JURISDICTION: I.R.C. 2012 ASCE 7-05, OR N° 15-040, I.E.C. 2014, ETC. DESIGN FOR 130 M.P.H. 3 SECOND WIND GUST.
2. ALL CONCRETE SHALL BE 3000 PSI @ 28 DAYS FIBER CRETE.
3. WINDOW MANUFACTURE AS APPROVED BY OWNER W/ HIGH IMPACT GLAZING, SINGLE HUNG, FIXED, & ARCHED.
4. EXTERIOR DOORS AS APPROVED BY OWNER W/ HIGH IMPACT GLAZING.
5. ALL FRAMING TO BE N° 2 SYP. OR BETTER, ALL LATTICE ARE TRID, SELECT. (MATCH EXTS.)
6. PROVIDE HARDI LAF SIKING, MATCH EXISTING.
7. ALL ROOF PITCHES SHALL BE 7/12...
8. ALL EXTERIOR WALLS ARE 2X6, INTERIOR WALL ARE 2X6 AND 2X4.
9. PROVIDE STUDS @ 8" O.C. FOR THE FIRST 5' FROM EACH CORNER AT EXTERIOR WALLS, PROVIDE MULTIPLE STUDS UNDER BEARING AT ALL.
10. PROVIDE HOLD DOWNS AT ALL INSIDE & OUTSIDE CORNERS & WINDOWS BY SIMPSON STRONG TIES (MSTC 4553) INDICATED BY ⊗ SEE FLOOR PLANS.
11. INSULATE HOT WATER LINES & ALL WATER LINES EXPOSED TO THE EXTERIOR.
12. DECK SHALL SUPPORT A UNIFORM DISTRIBUTED LIVE LOAD OF 40 PSF STAIR HANDRAILS & GUARDS SHALL SUPPORT A UNIFORM DISTRIBUTED LOAD OF 50 PSF & CONCENTRATED LOAD OF 200 LB PER SQ. FT.
13. SHEARWALLS CONSIST OF 5/8" FLYWD. ON THE FACE OF STUDS UNDER INTERIOR WALL FINISHES.
14. ALLOWANCE ITEMS: HARDWARE, ELECTRICAL & PLUMBING FIXTURES.
15. VERIFY ALL FINISHES WITH OWNER PRIOR TO PURCHASE & INSTALLATION.
16. TILE AT ALL SHOWER & TUB ENCLOSURES.
17. ALL WATER PIPING SHALL BE CPVC SCHEDULE 40.
18. PROVIDE SMOKE DETECTORS IN ALL SLEEPING AREAS, ENTRIES & STORAGE AREAS.
19. PROVIDE ONE 200 AMP SUB PANEL, VERIFY LOCATION.
20. ALL WEATHER EXPOSED CONDUIT SHALL BE IN SCHEDULE 40 PVC CONDUIT W/ PVC BOXES W/ S.S. ANCHORS.
21. ALL HVAC EQUIPMENT SHALL COMPLY W/ 2009 ENERGY CODES. HVAC UNITS SHALL HAVE A SEER RATING OF 16, ACCEPTABLE MANUFACTURERS: CARRIER, YORK, RHEEM, LENOX OR TRANE.

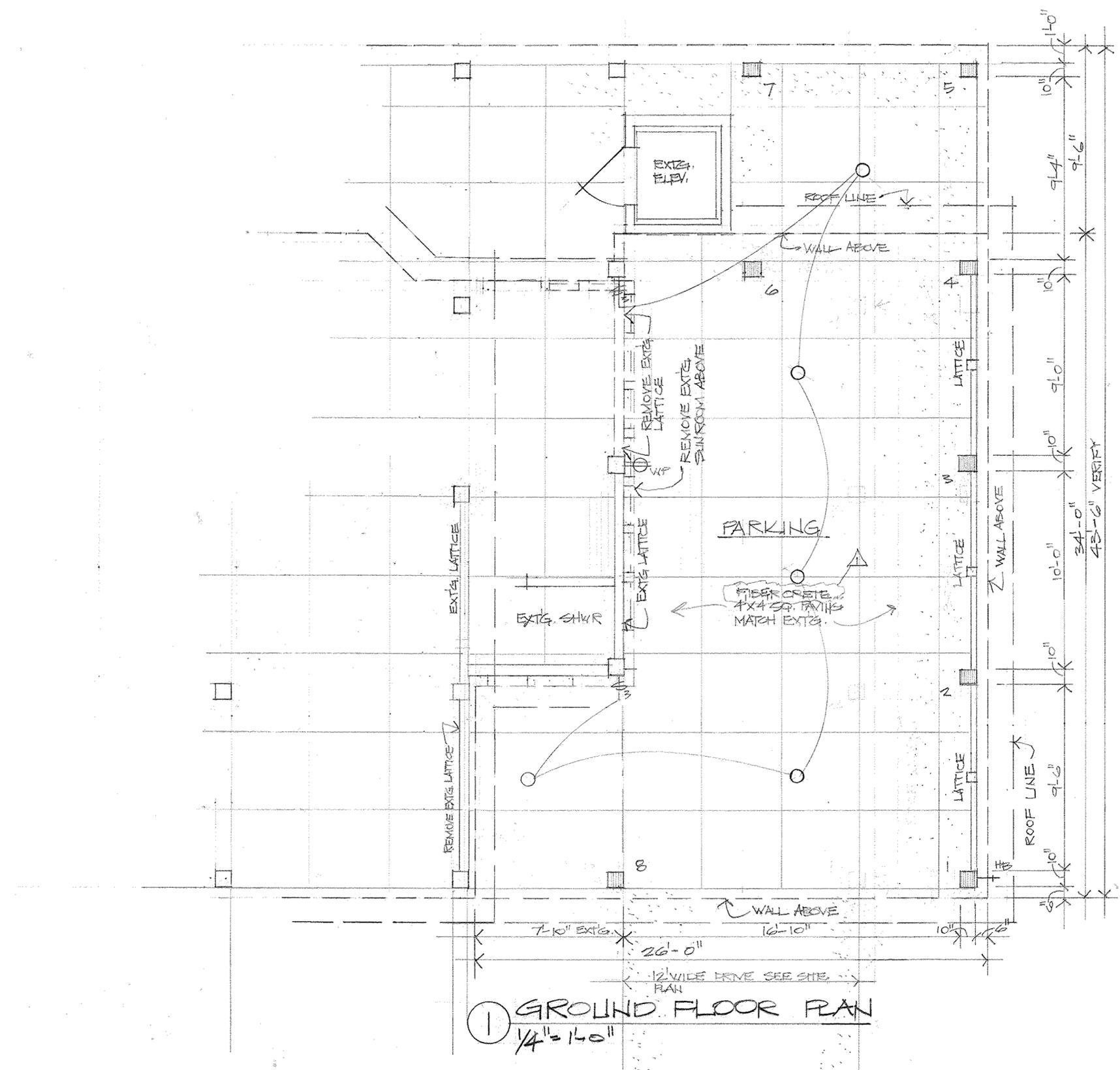
SQUARE FOOTAGE:

EXISTING HOUSE	
MASTER SUITE ADDITION	865 SQ. FT.
SUN ROOM ADDITION	531 SQ. FT.
TOTAL	1396 SQ. FT.
MASTER DECK ADDITION	144 SQ. FT.



GROUND FLOOR
PLAN

ADDITIONS FOR NOSIE & BOB LORLON
INDIAN BEACH
GALVESTON, TEXAS
A FRANK FRANKOVICH DESIGN • 281-4321031 • FRIENDSWOOD, TEXAS



① GROUND FLOOR PLAN
1/4" = 1'-0"

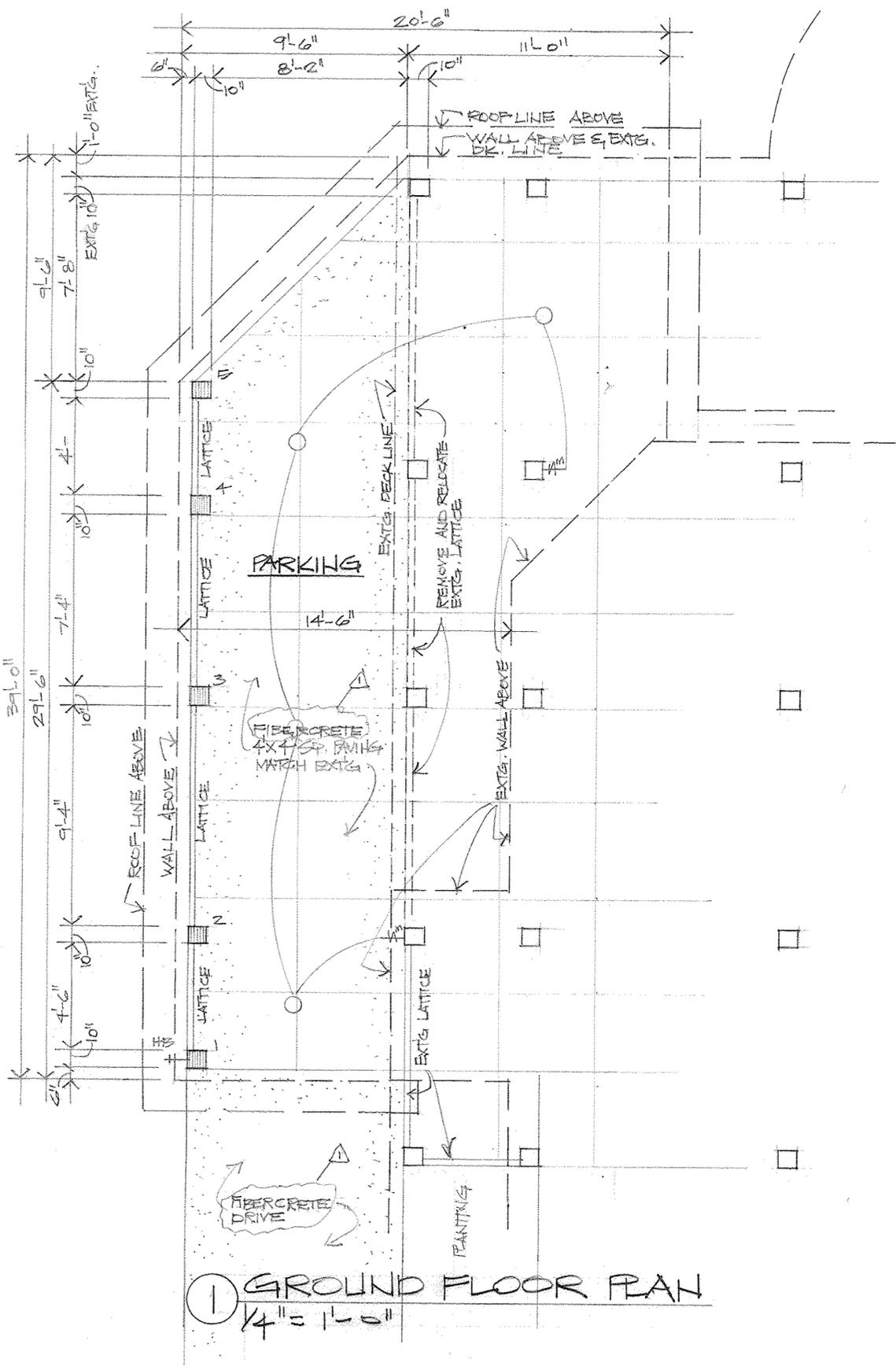


GROUND FLOOR
PLAN

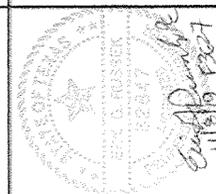
ADDITIONS FOR JOSIE & BOB LORDON
INDIAN BEACH
GALVESEN, TEXAS
A FRANK FRANKOVICH DESIGN • 281-4821031 • FRIENDSWOOD, TEXAS

1/4" = 1'-0"

9
8 4



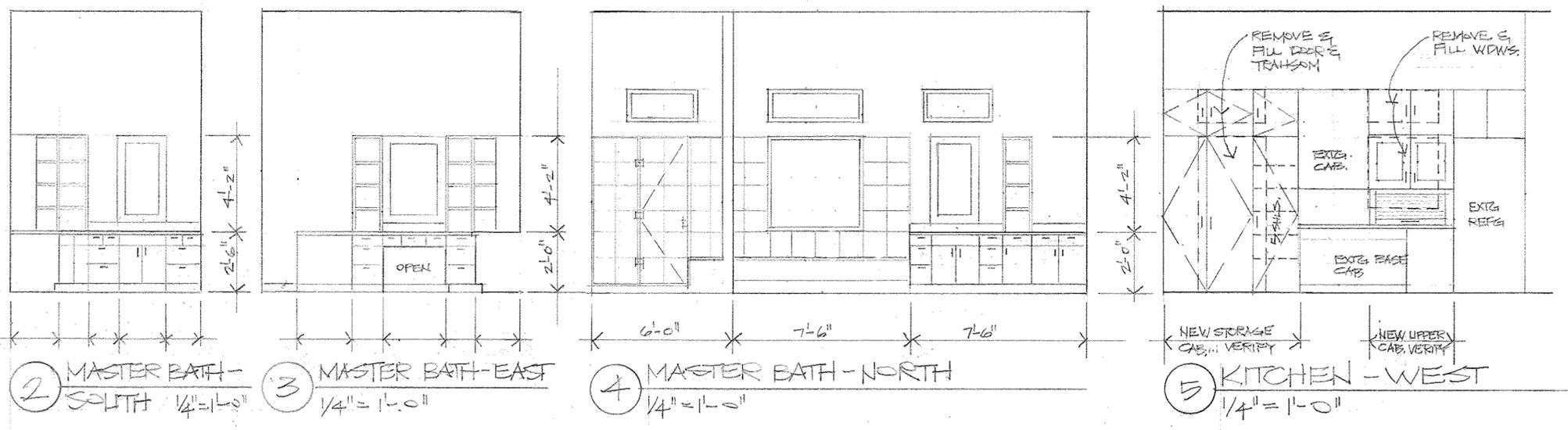
① GROUND FLOOR PLAN
1/4" = 1'-0"

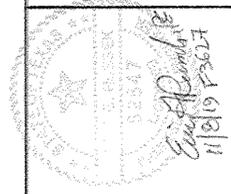


NORTH ELEVATION
INTERIOR ELEVATIONS

ADDITIONS FOR NOSIE & BOB LORDON
INDIAN BEACH
GALVESTON, TEXAS
FRIENDSWOOD, TEXAS
A. FRANK FRANKOVICH DESIGN • 281-4821031

MASTER SUITE





SOUTH ELEVATION

ADDITIONS FOR JOSIE & BOB LORDON
INDIAN BEACH GALVESTON, TEXAS
A. FRANK FRANKOVICH DESIGN • 281-4821031 • FRIENDSWOOD, TEXAS



① SOUTH ELEVATION
1/4" = 1'-0"



WEST ELEVATION

ADDITIONS FOR JOSIE & BOB LORDON
INDIAN BEACH
A. FRANK FRANKOVICH DESIGN • 281-4821031 • FRIENDSWOOD, TEXAS
GALVESTON, TEXAS

MASTER CUT

6

OF 14



① WEST ELEVATION
1/4" = 1'-0"



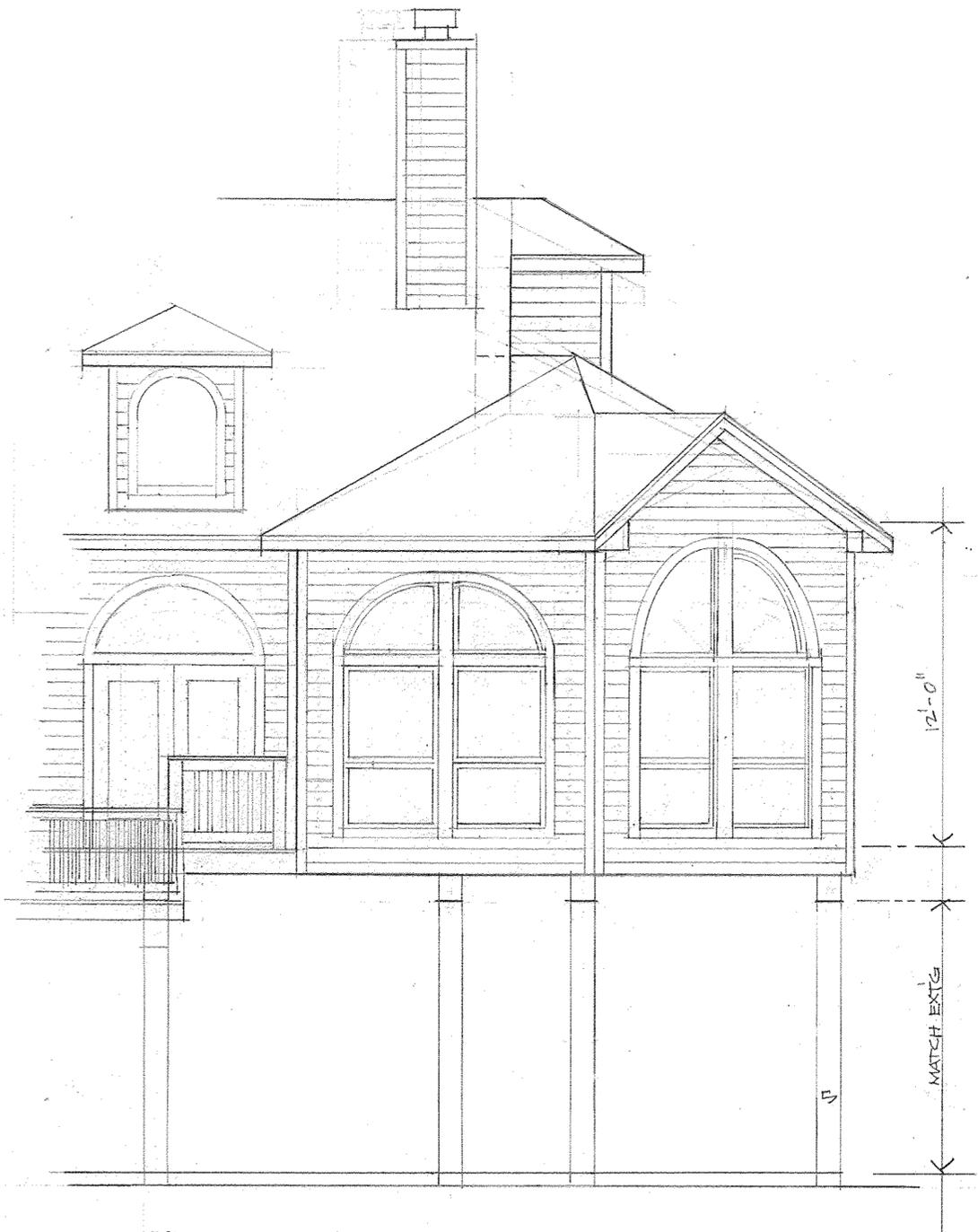
SOUTH ELEVATION
SOUTHEAST ELEV.

LORDON
GALVESTON, TEXAS

ADDITONS FOR JOSIE & BOB
INDIAN BEACH
A. FRANK FRANKOVICH DESIGN • 281-4821031 • FRIENDSWOOD, TEXAS

SUN ROOM

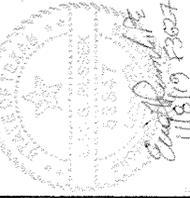
11
9 4



① SOUTH ELEVATION
1/4" = 1'-0"



② SOUTHEAST ELEVATION
1/4" = 1'-0"

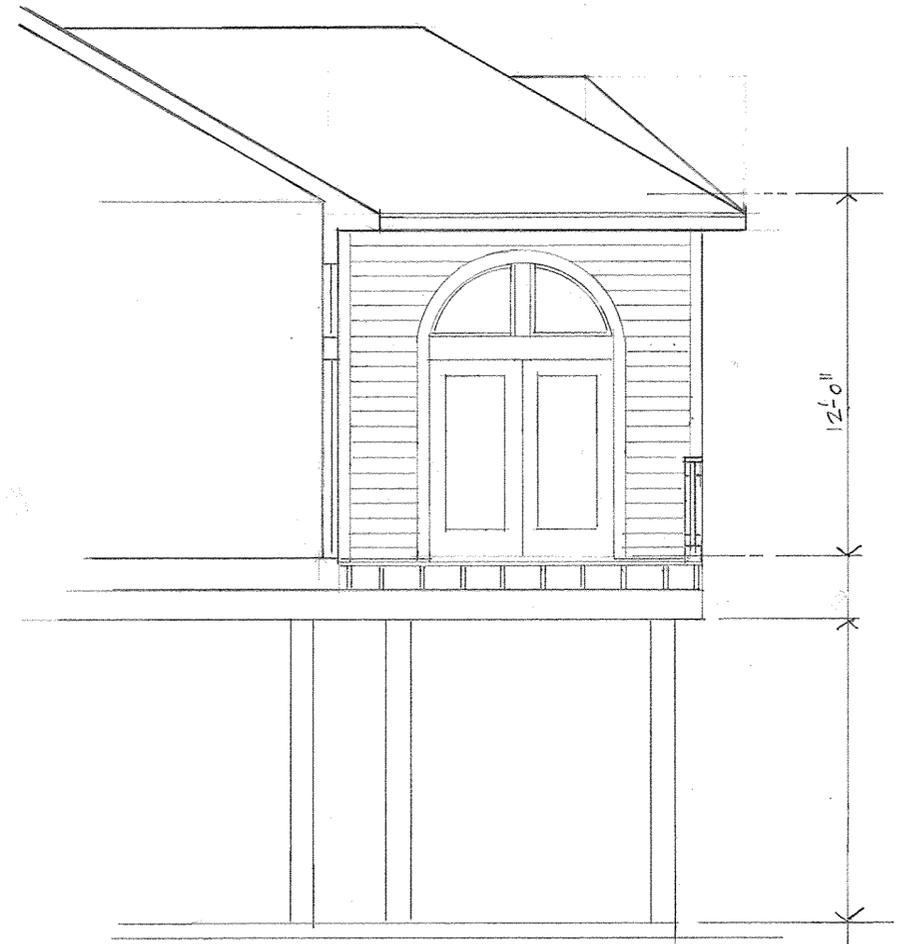


EAST ELEVATION
WEST ELEVATION

ADDITIONS FOR JOSIE & BOB LORDON
INDIAN BEACH
GALVESTON, TEXAS
A. FRANK FRANKOVICH DESIGN • 281-4821031 • FRIENDSWOOD, TEXAS



① EAST ELEVATION
1/4" = 1'-0"



② WEST ELEVATION
1/4" = 1'-0"

Attachment “D”

Site Photos

18A07 E. DeVaca
North Side

11-12-19



18407 E. DeVaca 11-12-19
South side from Vegetation Line



18407 E. DeVaca 11-12-19
South Side From Water Line



18407 E. DeVaea 11-12-19
EAST SIDE



18407 E. DeVaca 11-12-19
WEST Side



18407 E De Vaca 11-12-19

DUNE LINE



18,407 E. DeVaca 11-12-19

DUNE LINE



Attachment “E”
GLO Comment Letter



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

December 27, 2019

Via Electronic Mail

Virginia Greb
Coastal Resources Assistant Manager
Development Services Department
City of Galveston
823 Rosenberg, Room 401
Galveston, Texas 77550-2103

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston

Site Address: 18407 E De Vaca, Galveston
Legal Description: ABST 121 Page 32 Lot 54 Blk 1 Indian Beach Sec 2
Lot Applicant: Robert & Josefina Lordon c/o Ernie Weldon
Case Number: 19P-061
GLO ID No.: BDCOG-19-0333a

Dear Ms. Greb:

The General Land Office (GLO) has reviewed the amended application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to construct a living area addition to an existing habitable structure and to construct a fibercrete driveway. The proposed construction is located within 200 feet of the line of vegetation, within the Enhanced Construction Zone, and adjacent to the Dune Conservation Area. According to the Bureau of Economic Geology, the area is eroding at a rate of three to four feet per year.

Based on the information provided to our office for review, we have the following comments:

- In the area seaward of 25 feet from the north toe of the dune, paving or altering the ground, which includes the use of fibercrete and crushed rock, is not proposed in this application and is prohibited.¹
- In the area from 25 feet landward of the north toe of the dune to 200 feet landward of the line of vegetation, paving used under the habitable structure and for driveways connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in four-foot by four-foot sections, four-inches thick with sections separated by expansion joints or pervious material.² A habitable structure is defined as a structure used or usable for habitation.³ The area beneath uncovered decks or stairs may not be paved.

¹ City of Galveston Erosion Response Plan § 5.

² City of Galveston Erosion Response Plan § 4.

³ City of Galveston Beach Access Plan § 29-54.

- The driveway must be limited to the linear width of the primary structure, along the main street, and a minimum of 15% of the front yard must be maintained as open/unimproved area.⁴
- The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.⁵
- The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.⁶
- The City must ensure the proposed construction is consistent with at least the minimum FEMA requirements or with the FEMA approved local ordinance.⁷
- The City must ensure the proposed habitable structure is designed for feasible relocation.⁸
- Construction activities must not restrict or interfere with the public's ability to use or access the beach.⁹
- The proposed construction activities must not result in the potential for increased flood damage to the proposed construction site or adjacent property, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely affect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.¹⁰
- The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.¹¹

Please be advised that the line of vegetation is dynamic. Structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of the line of mean high tide will periodically be reassessed on a case-by-case basis, and owners may be allowed to make certain repairs under the Beach/Dune rules and local government plans.

If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned lands. Repairs are prohibited and the state may take action to remove the structure.¹²

⁴ City of Galveston Erosion Response Plan § 5.

⁵ 31 Tex. Admin. Code § 15.5(b)(3).

⁶ 31 Tex. Admin. Code § 15.6(f)(4).

⁷ 31 Tex. Admin. Code § 15.6(e)(3).

⁸ 31 Tex. Admin. Code § 15.6(f)(2).

⁹ TNRC § 61.013

¹⁰ 31 Tex. Admin. Code § 15.4(d).

¹¹ 31 Tex. Admin. Code § 15.6(g).

Ms. Greb
December 27, 2019
Page 3 of 3

If you have any questions, please contact me at (512) 463-5232 or at michelle.culver@glo.texas.gov.

Sincerely,



Michelle Culver
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

cc: Dustin Henry, Coastal Resources Manager



19P-066

STAFF REPORT

ADDRESS:

7 Grand Beach Blvd

LEGAL DESCRIPTION:

Property is legally described as Lot 15, Block 1, The Preserve at Grand Beach (2014), a subdivision located in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Galveston Custom Homes, Tom Tran

PROPERTY OWNER:

Soul of the Sea, LLC., Mai Dang and Tom Tran

REQUEST:

Beachfront Construction Certificate/Dune Protection Permit for construction of a single-family dwelling, driveway, and perimeter fence.

APPLICABLE LAND USE

REGULATIONS:

Chapter 29, Article 2, Beach Access Dune Protection and Beachfront Construction Regulation.

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

- A – Aerial Map
- B – Topographic Survey
- C – Site Plan & Drawings
- D – Photos of Site
- E – Comment Letter from GLO

STAFF:

Virginia Greb
Coastal Resources Asst.
Mgr.
VGreb@GalvestonTX.gov



Note: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Executive Summary:

The City of Galveston's Dune Protection and Beach Access Plan designates the Planning Commission as the authority to review and consider for approval of applications for a Beachfront Construction Certificate/Dune Protection Permit when the proposed construction activities will occur in areas within or seaward of the Dune Conservation Area or up to 50-feet landward of the Dune Protection Line. The Dune Protection Line is defined as the area within 25-feet landward of the north toe of the critical dune area, or for those beach areas where no dunes exist west of the terminus of the Seawall, within 200-feet landward of the line of vegetation.

The applicant is requesting approval to construct a single-family dwelling, driveway, and perimeter fence in an area approximately 41.5-feet from the North Toe of the Critical Dune Area, which is landward of the dune protection line, and within Planning Commission review. According to the application materials, the proposed construction activities appear to be landward of dunes and dune vegetation. Therefore, no mitigation activities are proposed.

Site and Surrounding Area:

The subject site is a 0.247-acre lot located in The Preserve at Grand Beach Subdivision. There is an undeveloped lot to the North, beach area to the South, and single-family-dwellings to the East and West of the subject property.

According to the Bureau of Economic Geology, between the 1950s and 2019, this beach area has experienced an average shoreline change rate of -0.5 to +0.6 feet per year and the area is stable.

Analysis:

Details from the applicant’s survey and site plan (Attachments “B” and “C”) regarding the proposed new construction and its location in relation to conditions on the site are summarized in the table below.

Proposed Structure’s Distance from:	Distance (Feet)
...North Toe of the Dune	41.5
...the Line of Vegetation	277.5
...South Toe of Dune	277.5
...Adjudicated Public Beach Easement	201

In accordance with Chapter 29: Planning – Beach Access Dune Protection & Beach Front Construction, before issuing a permit, the Planning Commission must find that the proposed construction conforms with the following Beachfront Construction Certificate and Dune Protection Permit standards:

(1) The proposed activity is not a prohibited activity as defined in these standards.

Staff finds that the request conforms to the City of Galveston’s Dune Protection and Beach Access Plan, and Erosion & Response Plan. The drawings, (Attachment “C”), are submitted with this request.

The proposed construction is landward of the Dune Protection Line and the Dune Conservation Area, therefore a ground floor enclosure is permitted. Note: the City’s locally adopted flood ordinance requires ground floor enclosures to be no greater than 299 square feet as measured from the outside of the enclosure.

Staff reviewed the application materials and did not identify any prohibited activities seaward of the Dune Protection Line.

(2) The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of these standards.

According to Section 29-2(k) Technical Standards, the Planning Commission shall not approve an application for construction if it is determined that it will result in a material weakening and material damage of dune vegetation. The following standards are to be used to make this determination:

- a. The activity shall not result in the potential for increased flood damage to the proposed construction site or adjacent property;
- b. The activity shall not result in runoff or drainage patterns that aggravate erosion on or off the site;
- c. The activity shall not result in significant changes to dune hydrology;
- d. The activity shall not result in adverse effects on dune complexes or dune vegetation;
- e. The activity shall not significantly increase the potential for washovers or blowouts to occur; or
- f. The Commission shall not issue a Beachfront Construction Certificate and Dune Protection Permit authorizing construction unless the construction and property design is designed to minimize impacts on natural hydrology. Such projects shall not cause erosion to adjacent properties, critical dune areas, or the public beach.

The Technical Standards also state that the Planning Commission should take into consideration all comments from the Texas General Land Office when deciding whether to grant a Beachfront Construction Certificate/Dune

Protection Permit. Should the Planning Commission approve this request, comments from the Texas General Land Office for this request are located in (Attachment "E") and recommended as specific conditions for this request.

The proposed construction will be required to be consistent with FEMA minimum requirements, which should not increase the potential for increased flood damage to the construction site or adjacent property.

As a result of the construction, the applicant is prohibited from affecting runoff or drainage patterns that would aggravate erosion on or off site, result in significant changes to dune hydrology, or significantly increase the potential for washovers or blowouts to occur. Runoff should be directed away from the dune area. The applicant is required to direct all non-natural drainage on the lot away from the beach and dunes, and toward the drainage infrastructure in the subdivision and in the street landward of the lot. Drainage plans are to be reviewed and approved by the City Engineering Department.

Given the proposed construction activities are taking place landward of the Dune Conservation Area, staff finds that the proposed construction will not materially weaken dunes or materially damage dune vegetation, as defined by these Technical Standards.

(3) There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the Mitigation sequence as outlined in these Standards.

The City's Dune Protection and Beach Access Plan states that the Planning Commission shall utilize the Mitigation Sequence in determining whether to issue a permit for an activity located seaward of the Dune Protection Line, after the determination that no material weakening of dunes or material damages to dunes will occur within critical dune areas or seaward of the Dune Protection Line. The mitigation sequence is as follows:

- 1) **Avoid** the impact altogether by not taking a certain action or parts of an action;
- 2) **Minimize** impacts by limiting the degree or magnitude of the action and its implementation;
- 3) **Rectify** the impact by repairing, rehabilitating, or restoring the affected environment; and,
- 4) **Compensate** for the impact by replacing resources lost or damaged.

According to the application materials, the entirety of the proposed construction will be located landward of the Dune Protection Line. Therefore, no adverse effects to dunes or dune vegetation are expected.

(4) The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, if required, will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects.

No construction activities are proposed seaward of the Dune Protection Line with this request. Therefore, no adverse effects to dunes or dune vegetation are expected.

(5) The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and

The application conforms to the City of Galveston's requirements for a Beachfront Construction Certificate and Dune Protection Permit and the City's requirements for the management of the public beach.

(6) The structure is located as far landward as practicable.

The site plan depicts the proposed structure will be placed on the lot as far landward as practicable. The proposed deck of the structure will be placed abutting the 20-foot building line, which is as far landward as practicable. The seaward side of the home is approximately 41-feet from the North Toe of the Critical Dune Area.

Staff Recommendation:

Staff recommends approval of 19P-066 with the following conditions:

Specific Conditions to Case 19P-066:

1. The areas of proposed paving of a slab under the habitable structure within 200-feet of the landward boundary of the adjudicated public easement are limited to unreinforced fibercrete in four-foot-by-four-foot sections, four inches thick, with sections separated by expansion joints. Paving is limited to only the ground beneath the habitable structure and driveway connecting the habitable structure to the street.
2. No building permits for single-family residential construction in the development will be issued until a second point of vehicular ingress/egress has been constructed and satisfies the requirements of all City departments, unless the house is designed with a residential sprinkler system;
3. The applicant shall adhere to all comments from the Texas General Land Office (GLO) included in Attachment "E":
 - a. In the area from 25-feet landward of the North Toe of the Dune to 200-feet landward of the Line of Vegetation, the applicant is limited to using unreinforced fibercrete in four-foot by four-foot sections, four-inches thick with sections separated by expansion joints to pave only the ground beneath the habitable structure and a driveway connecting the habitable structure to the street. A habitable structure is defined as a structure used or usable for habitation. The area beneath uncovered decks or stairs may not be paved. The use of reinforced concrete is prohibited in this area.
 - b. The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.
 - c. The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.
 - d. The City must ensure the proposed construction is consistent with FEMA minimum requirements or with the FEMA approved local ordinance.
 - e. The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.

Standard Conditions:

4. Work approved under this permit shall be completed within one (1) year from the date this permit is issued. If work is not completed in this time period, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate/Dune Protection Permit, unless an extension of the period, prior to the expiration, has been submitted to the Texas General Land Office for review and approved by the City;

5. Any alterations to the project, as approved, shall return to the Planning Commission and/or Texas General Land Office for additional review and approval;
6. All non-natural drainage from the dwelling shall be directed away from the beach and dunes, toward the street landward of the lot and to the drainage infrastructure in the subdivision, and drainage plans shall be submitted to the City of Galveston Public Works Department, Division of Engineering for approval;
7. The area seaward of the dwelling shall be designated a dune protection area, prohibiting any alteration of natural conditions in this area, except for any future proposed dune walkovers, approved by the Development Services Department and the Texas General Land Office under separate review;
8. The applicant shall coordinate any/all dune enhancement plans with the Development Services Department; and,
9. The applicant must adhere to all aspects of Section 29: Planning-Beach Access Dune Protection & Beachfront Construction.

ERP PRACTICABLE DEFINITION

Practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.

TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)

In determining what is practicable, local governments shall consider the effectiveness, scientific feasibility, and commercial availability of the technology or technique. Local governments shall also consider the cost of the technology or technique.

Respectfully Submitted,

Virginia Greb

 Virginia Greb
 Coastal Resources Assistant Manager

01/15/2020

Date

Cathy

 Catherine Gorman, AICP
 Assistant Planning Director / HPO

01/15/2020

Date

Attachment “A”

Aerial Map

GRAND BEACH



Legend

- ECZ
- 25' Offset NTD
- NTD
- STD
- Approx. LOV
- MHW
- MLW
- Parcels

7 GRAND BEACH BLVD (Case #19P-066)

Map prepared by the City of Galveston Development Services Department (VGreb) - 12/3/2019
Data Sources: Topographic Data from Atkins July 2017 wading depth surveys, 2018 Aerial Imagery and Parcel Data from Galveston CAD

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases.
Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

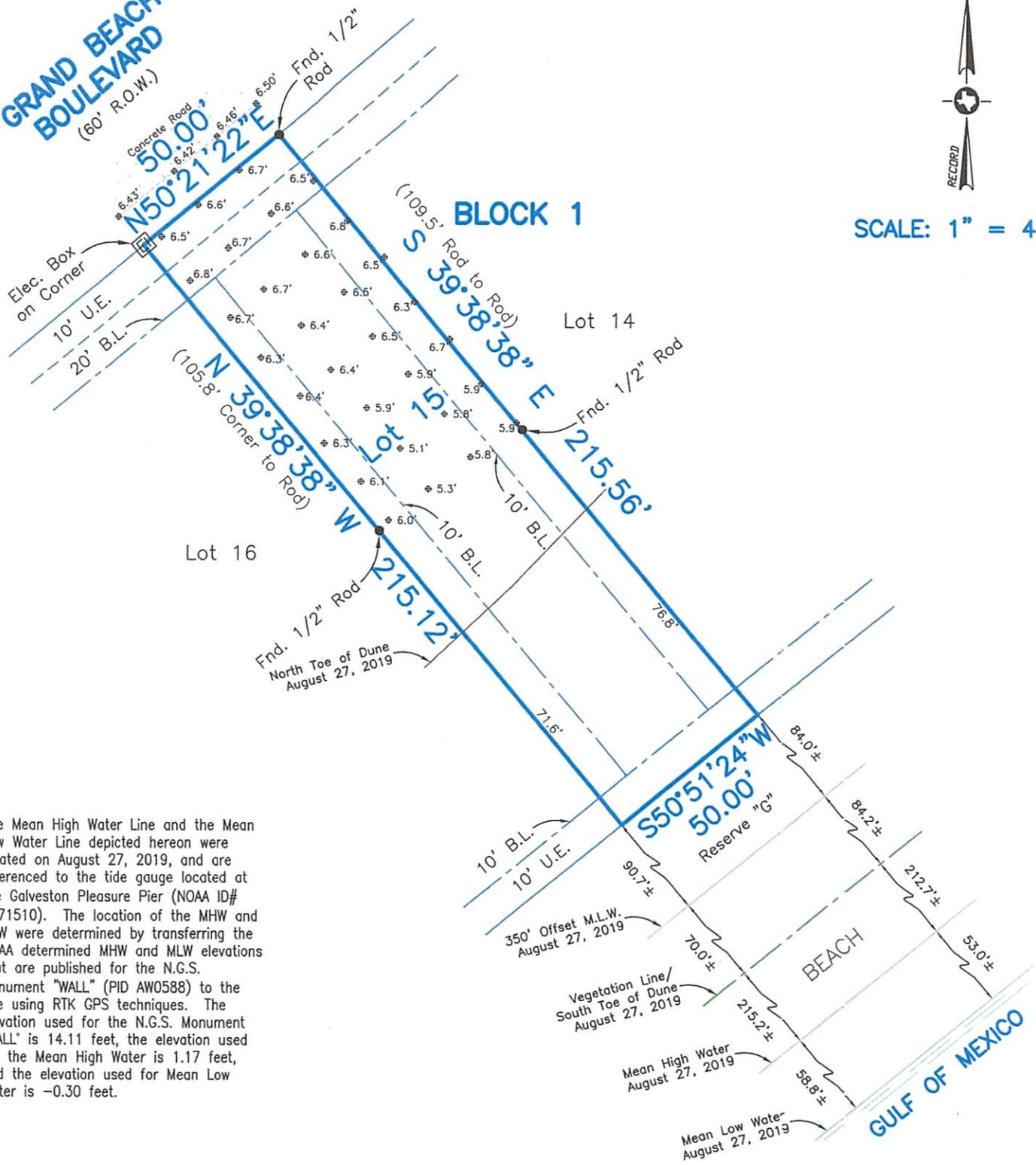


Attachment “B”
Topographic Survey

GRAND BEACH BOULEVARD
(60' R.O.W.)



SCALE: 1" = 40'



The Mean High Water Line and the Mean Low Water Line depicted hereon were located on August 27, 2019, and are referenced to the tide gauge located at the Galveston Pleasure Pier (NOAA ID# 8771510). The location of the MHW and MLW were determined by transferring the NOAA determined MHW and MLW elevations that are published for the N.G.S. Monument "WALL" (PID AW0588) to the site using RTK GPS techniques. The elevation used for the N.G.S. Monument "WALL" is 14.11 feet, the elevation used for the Mean High Water is 1.17 feet, and the elevation used for Mean Low Water is -0.30 feet.

Survey of Lot Fifteen (15), in Block One (1), of **THE PRESERVE AT GRAND BEACH**, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Record 2013A, Map No. 90, of the Map Records in the Office of the County Clerk of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brian S. House

Brian S. House
Registered Professional
Land Surveyor No. 6520



8017 HARBORSIDE DRIVE
P.O. BOX 16142 (mailing)
GALVESTON, TX 77552
ph (409) 740-1517

Registration Number: 10193855
www.hightidelandsurveying.com

NOTES:

- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
- 2) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by O&A (call your power company).
- 3) Bearings based on recorded plat.
- 4) Surveyed without benefit of a Title Report.
- 5) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument H3CSD 62.

REVISED:	AUGUST 27, 2019
SURVEY DATE:	AUGUST 17, 2019
FILE No.:	5987-0001-0015-000
DRAFTING:	JTK
JOB No.:	19-0587

Attachment “C”
Site Plan
&
Drawings



PROPOSED BEACH HOUSE FOR

TOM TRAN

7 GRAND BEACH
GALVESTON, TX 77554

DRAWING INDEX			
A1	TITLE PAGE	A6	FRONT/REAR ELEV/EXT. DETAILS
A2	SITE/DRAINAGE PLAN	A7	LEFT SIDE ELEVATION
A3	FOUNDATION/GROUND FPLAN	A8	RIGHT SIDE ELEVATION
A4	1ST & 2ND FLOOR PLAN	A9	ROOF PLAN/WALL SECTION
A5	ELECTRICAL PLAN	A10	CABINET DETAILS

SQUARE FOOTAGE	
1ST FLOOR:	1639
2ND FLOOR:	1554
TOTAL SF:	3193
DECKS INCL A/C PAD:	1200
SLAB:	2237

FINAL SET 01/13/20		
FILE NAME		
7 GRAND BEACH 12-23-19		
NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

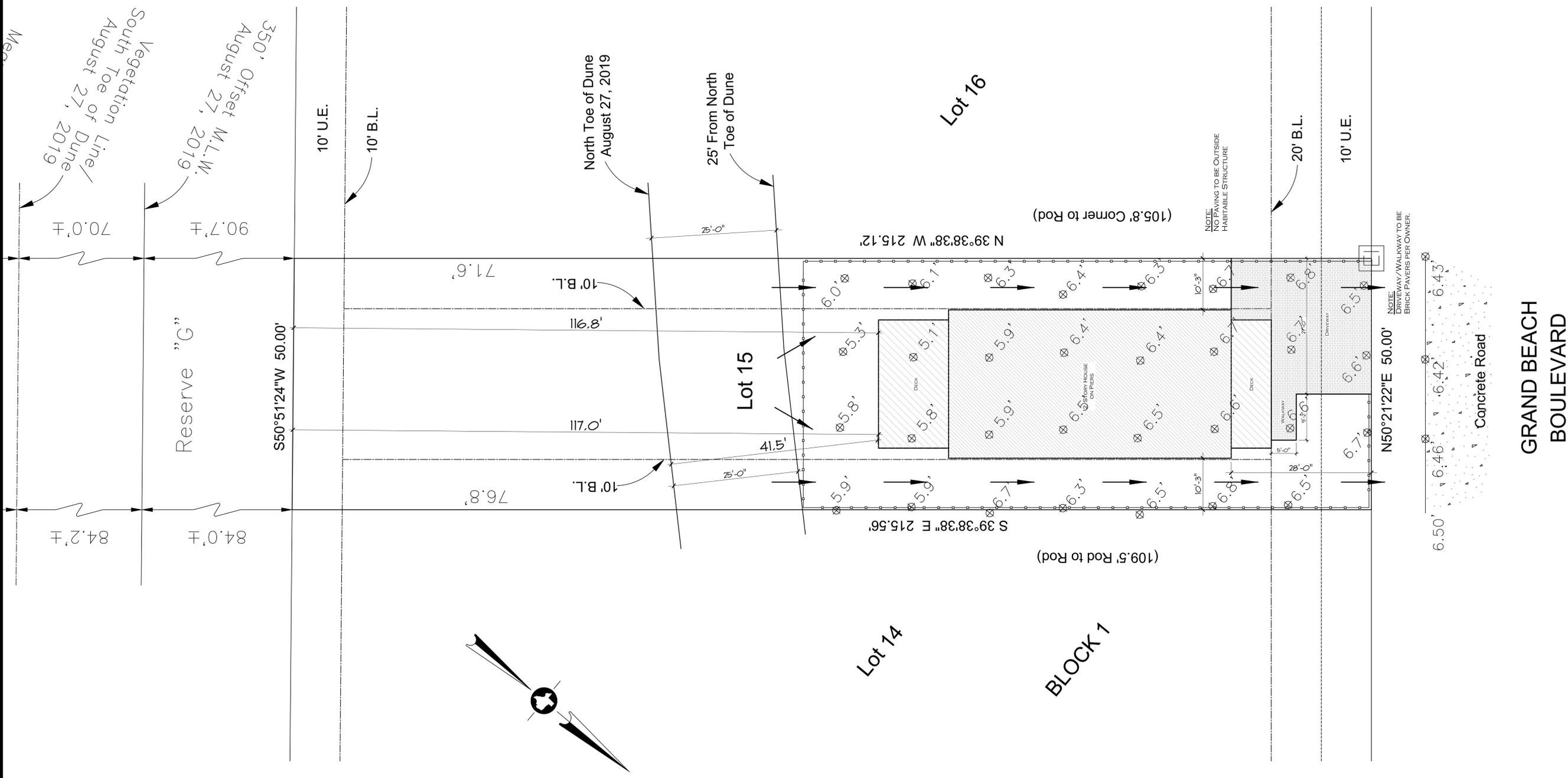
CULWELL DESIGNS

9007 LEWIS LN. GALVESTON, TX 77554
713-213-9804 CULWELLDIGNS@ATT.NET

PROJECT NAME AND ADDRESS
PROPOSED BEACH HOUSE FOR
TOM TRAN
7 GRAND BEACH
GALVESTON, TX 77554

COPYRIGHT © 2019
TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS.
CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

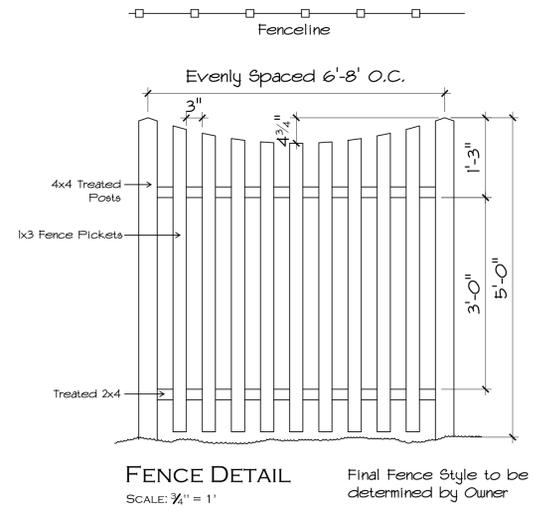
DRAWN BY S. CULWELL	SHEET
DATE 01/13/20	A1
SCALE SHOWN	OF 10



NOTE:
 116.8' + 90.7' = 207.5' From the 350' M.L.W. Offset
 117.0' + 84.0' = 201.0' From the 350' M.L.W. Offset
 116.8' + 90.7' + 70.0' = 277.5' From the Vegetation Line
 117.0' + 84.0' + 84.2' = 285.2' From the Vegetation Line
 41.5' From the North Toe of Dune Line

1 SITE/DRAINAGE PLAN
 SCALE: 1" = 10'

Drainage Direction
 Note:
 Drainage Plan Provided to Assist Engineer
 Engineer to Verify and Stamp Drainage Plan



FENCE DETAIL
 SCALE: 3/4" = 1'
 Final Fence Style to be determined by Owner

FINAL SET 01/13/20		
FILE NAME		
7 GRAND BEACH 12-23-19		
NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS
 9007 LEWIS LN. GALVESTON, TX 77554
 713-213-9804 CULWELLDIGNS@ATT.NET

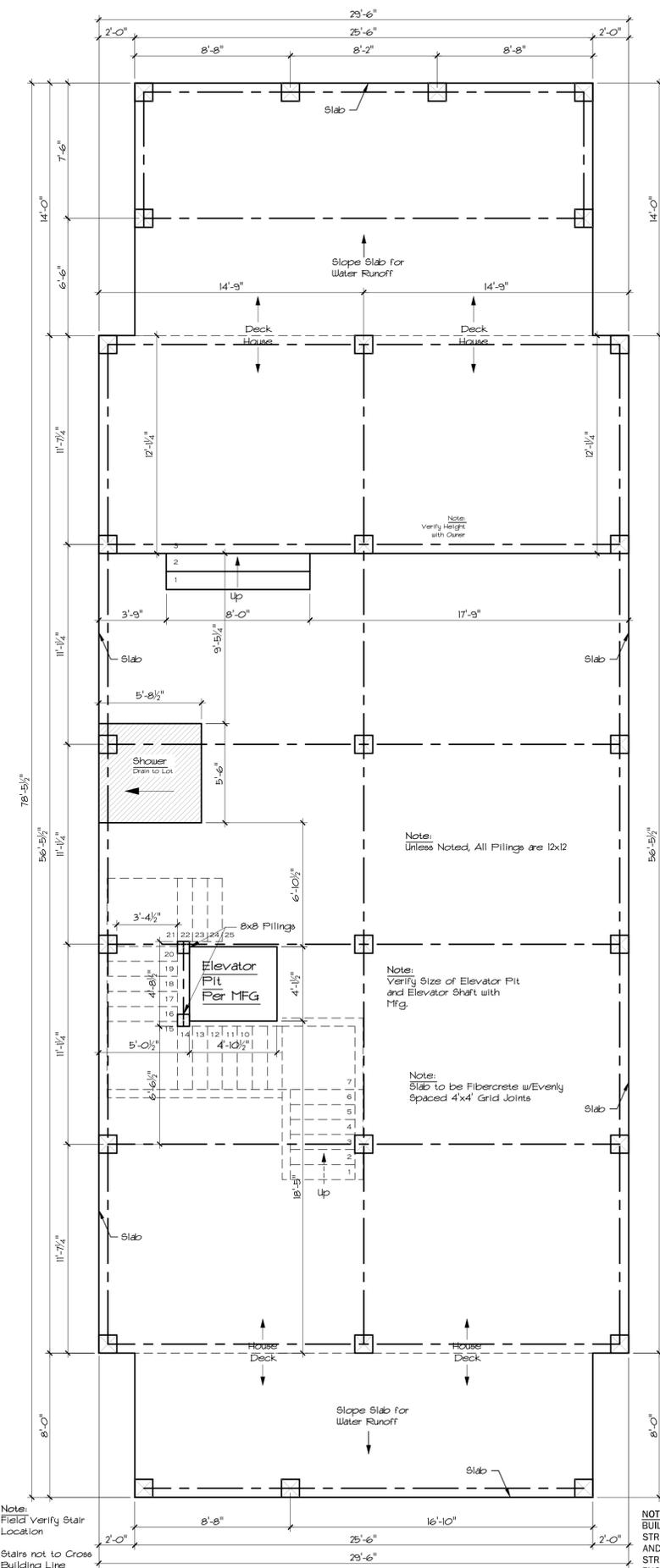
PROJECT NAME AND ADDRESS
 PROPOSED BEACH HOUSE FOR
TOM TRAN
 7 GRAND BEACH
 GALVESTON, TX 77554

COPYRIGHT © 2019
 TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
 THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS. CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
 NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
 THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY	S. CULWELL	SHEET	
DATE	01/13/20	A2	OF 10
SCALE	SHOWN		

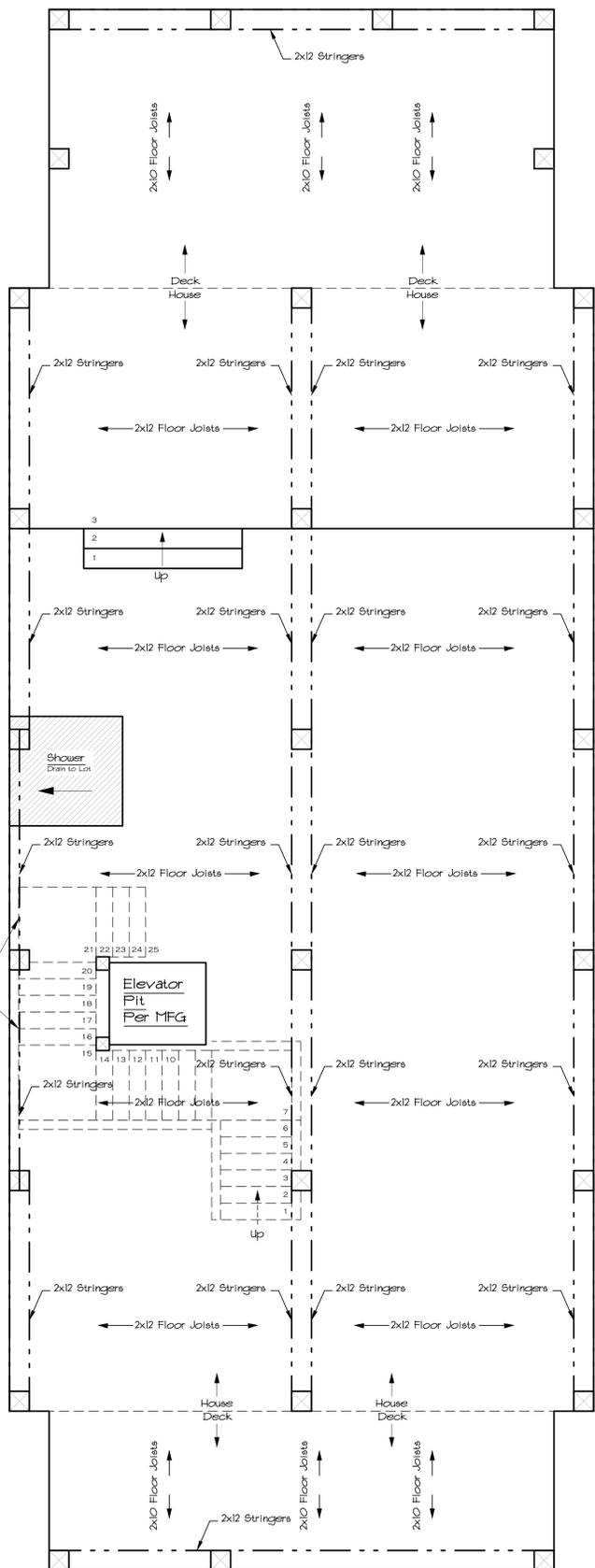
FOUNDATION NOTES:
 INFORMATION PROVIDED TO ASSIST ENGINEER
 IN THE ENGINEERING OF THE FOUNDATION

1 FOUNDATION LAYOUT
 SCALE: 1/4" = 1'

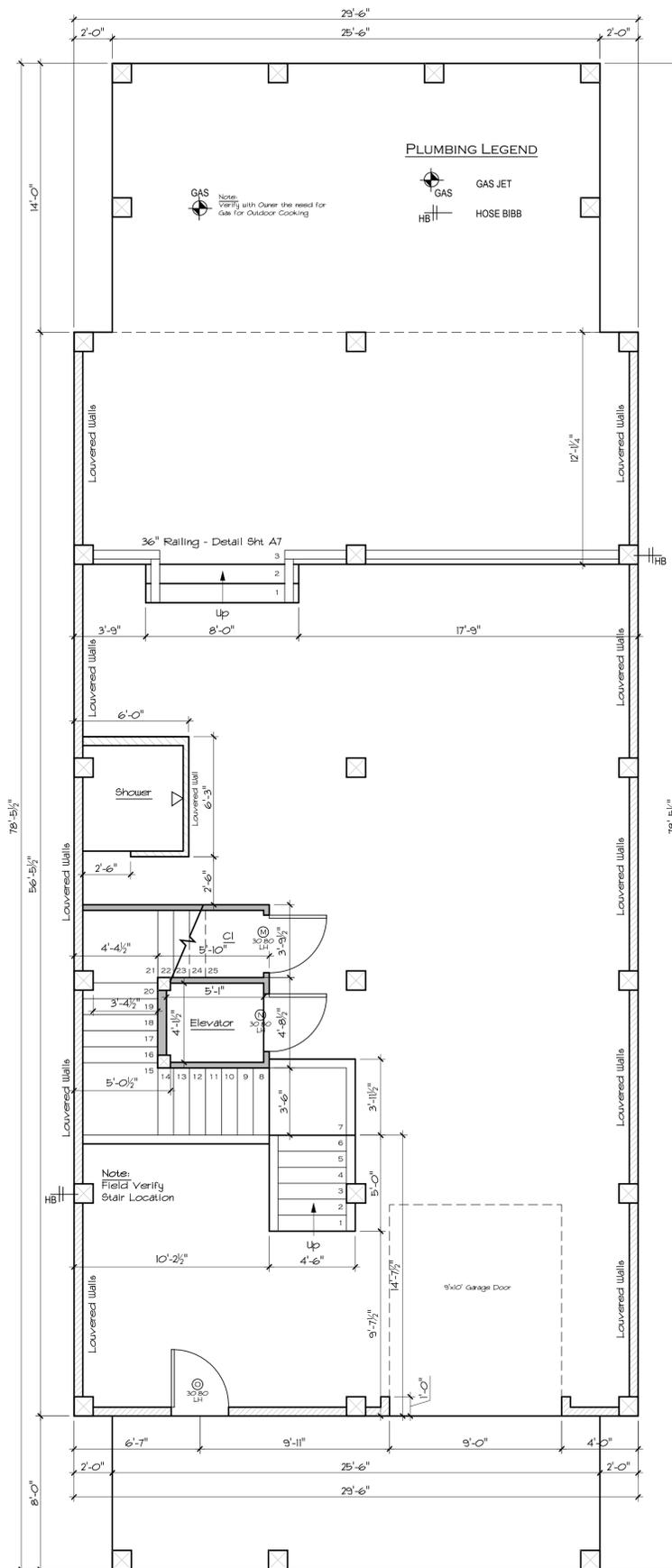


PILING/SLAB LAYOUT

NOTE:
 BUILDER TO CONSULT AN ENGINEER FOR SPECIFIC STRINGER AND JOIST SIZES, LOCATION, ATTACHMENT AND REINFORCING AS WELL AS PILING LOCATIONS. STRUCTURAL DRAWINGS DONE TO ASSIST THE ENGINEER. CULWELL DESIGNS DOES NOT ENGINEER ANY OF THE DESIGN AND ASSUMES NO LIABILITY FOR STRUCTURAL DESIGN.



STRINGER/JOIST LAYOUT



1 GROUND FLOOR PLAN
 SCALE: 1/4" = 1'

FINAL SET 01/13/20

NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS

9007 LEWIS LN. GALVESTON, TX 77554
 713-213-9804 CULWELLDIGNS@ATT.NET

PROJECT NAME AND ADDRESS
 PROPOSED BEACH HOUSE FOR
TOM TRAN
 7 GRAND BEACH
 GALVESTON, TX 77554

COPYRIGHT © 2019
 TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
 THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS.
 CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
 NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
 THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY S. CULWELL	SHEET
DATE 01/13/20	A3
SCALE SHOWN	OF 10

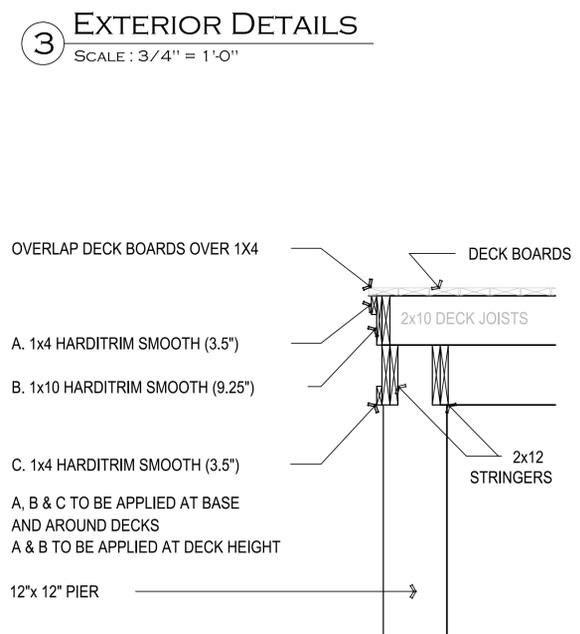
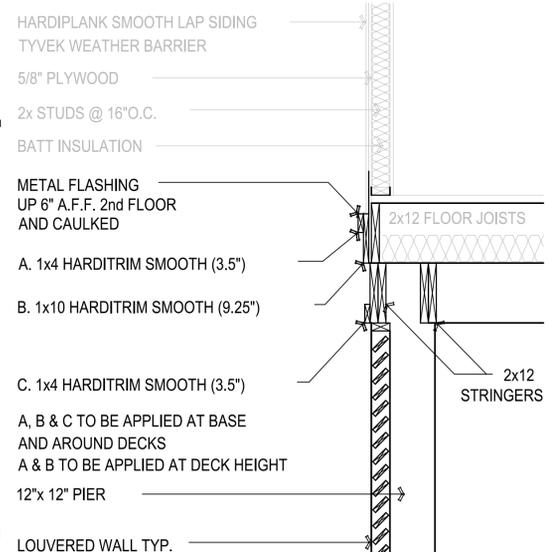
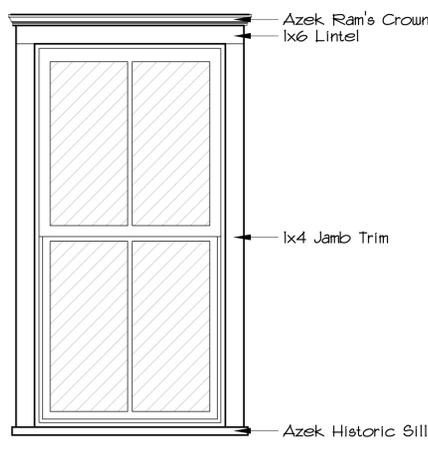
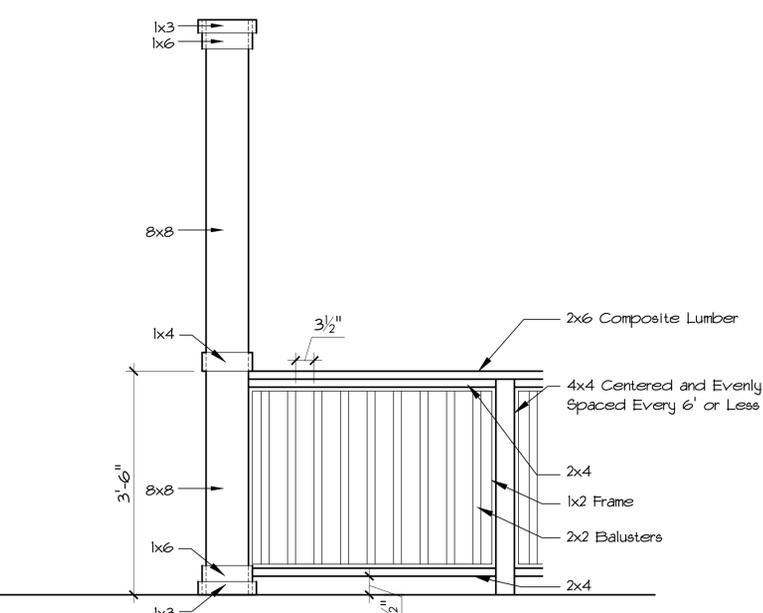
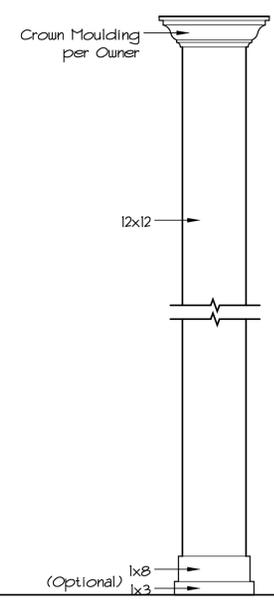
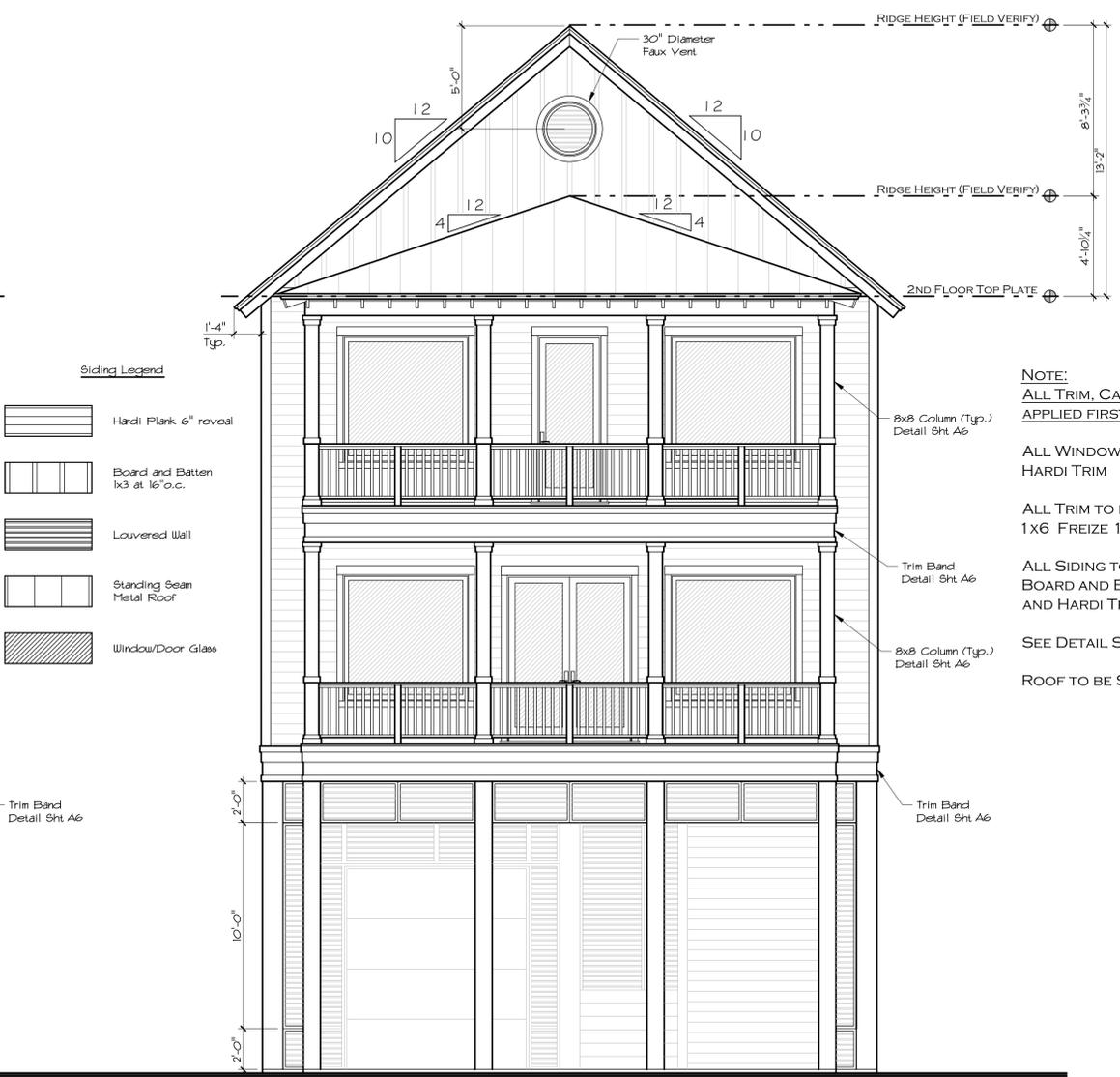
NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS
 9007 LEWIS LN. GALVESTON, TX 77554
 713-213-9804 CULWELLDIGNS@ATT.NET

PROJECT NAME AND ADDRESS
 PROPOSED BEACH HOUSE FOR
TOM TRAN
 7 GRAND BEACH
 GALVESTON, TX 77554

COPYRIGHT © 2019
 TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
 THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS.
 CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
 NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGNERS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
 THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY S. CULWELL	SHEET
DATE 01/13/20	A6
SCALE SHOWN	OF 10



3 EXTERIOR DETAILS
 SCALE: 3/4" = 1'-0"

No.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS

9007 LEWIS LN. GALVESTON, TX 77554
713-213-9804 CULWELLDISIGNS@ATT.NET

PROJECT NAME AND ADDRESS

PROPOSED BEACH HOUSE FOR

TOM TRAN

7 GRAND BEACH
GALVESTON, TX 77554

COPYRIGHT © 2019

TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.

THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS. CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.

NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.

THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY
S. CULWELL

DATE
01/13/20

SCALE
SHOWN

SHEET

A7

OF 10

Siding Legend

-  Hardi Plank 6" reveal
-  Board and Batten 1x3 at 16" o.c.
-  Louvered Wall
-  Standing Seam Metal Roof
-  Window/Door Glass

NOTE:

ALL TRIM, CASING AND FLASHING TO BE APPLIED FIRST FOLLOWED BY SIDING

ALL WINDOW AND DOOR CASING TO BE HARDI TRIM

ALL TRIM TO BE HARDI TRIM - CORNER TRIM 1x6 FREIZE 1x8

ALL SIDING TO BE HARDI PLANK 6" REVEAL BOARD AND BATTEN TO BE HARDI PANEL AND HARDI TRIM 1x3 @ 16" O.C.

SEE DETAIL SHT A7 DECK TRIM

ROOF TO BE STANDING SEAM METAL



1 LEFT ELEVATION
SCALE: 1/4" = 1'

FILE NAME		
7 GRAND BEACH 12-23-19		
NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS

9007 LEWIS LN. GALVESTON, TX 77554
713-213-9804 CULWELLDISIGNS@ATT.NET

PROJECT NAME AND ADDRESS
PROPOSED BEACH HOUSE FOR
TOM TRAN
7 GRAND BEACH
GALVESTON, TX 77554

COPYRIGHT © 2019
TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS.
CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY S. CULWELL	SHEET
DATE 01/13/20	A8
SCALE SHOWN	OF 10

Siding Legend

	Hardi Plank 6" reveal
	Board and Batten 1x3 at 16" o.c.
	Louvered Wall
	Standing Seam Metal Roof
	Window/Door Glass



NOTE:
ALL TRIM, CASING AND FLASHING TO BE APPLIED FIRST FOLLOWED BY SIDING

ALL WINDOW AND DOOR CASING TO BE HARDI TRIM

ALL TRIM TO BE HARDI TRIM - CORNER TRIM 1x6 FREIZE 1x8

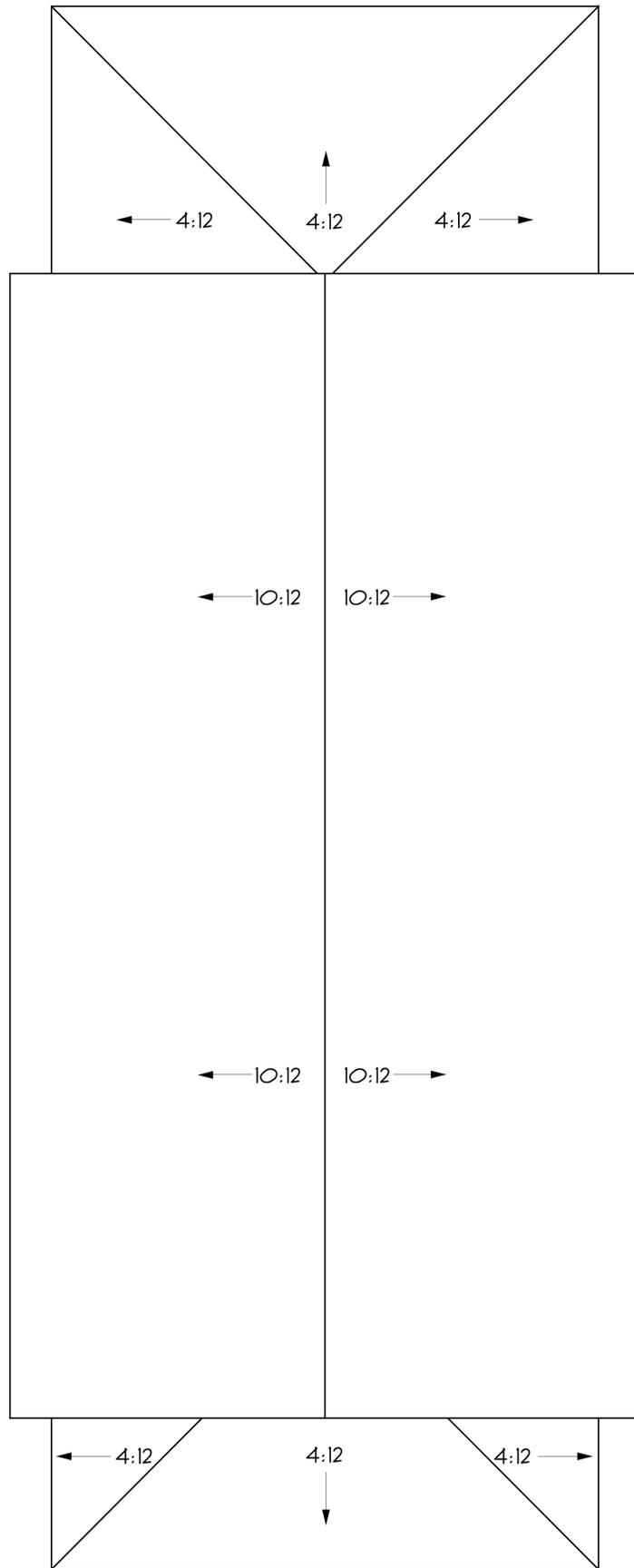
ALL SIDING TO BE HARDI PLANK 6" REVEAL BOARD AND BATTEN TO BE HARDI PANEL AND HARDI TRIM 1x3 @ 16" O.C.

SEE DETAIL SHT A7 DECK TRIM

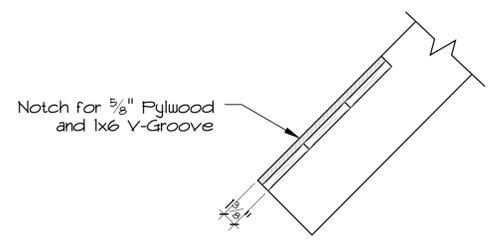
ROOF TO BE STANDING SEAM METAL

1 RIGHT ELEVATION
SCALE: 1/4" = 1'

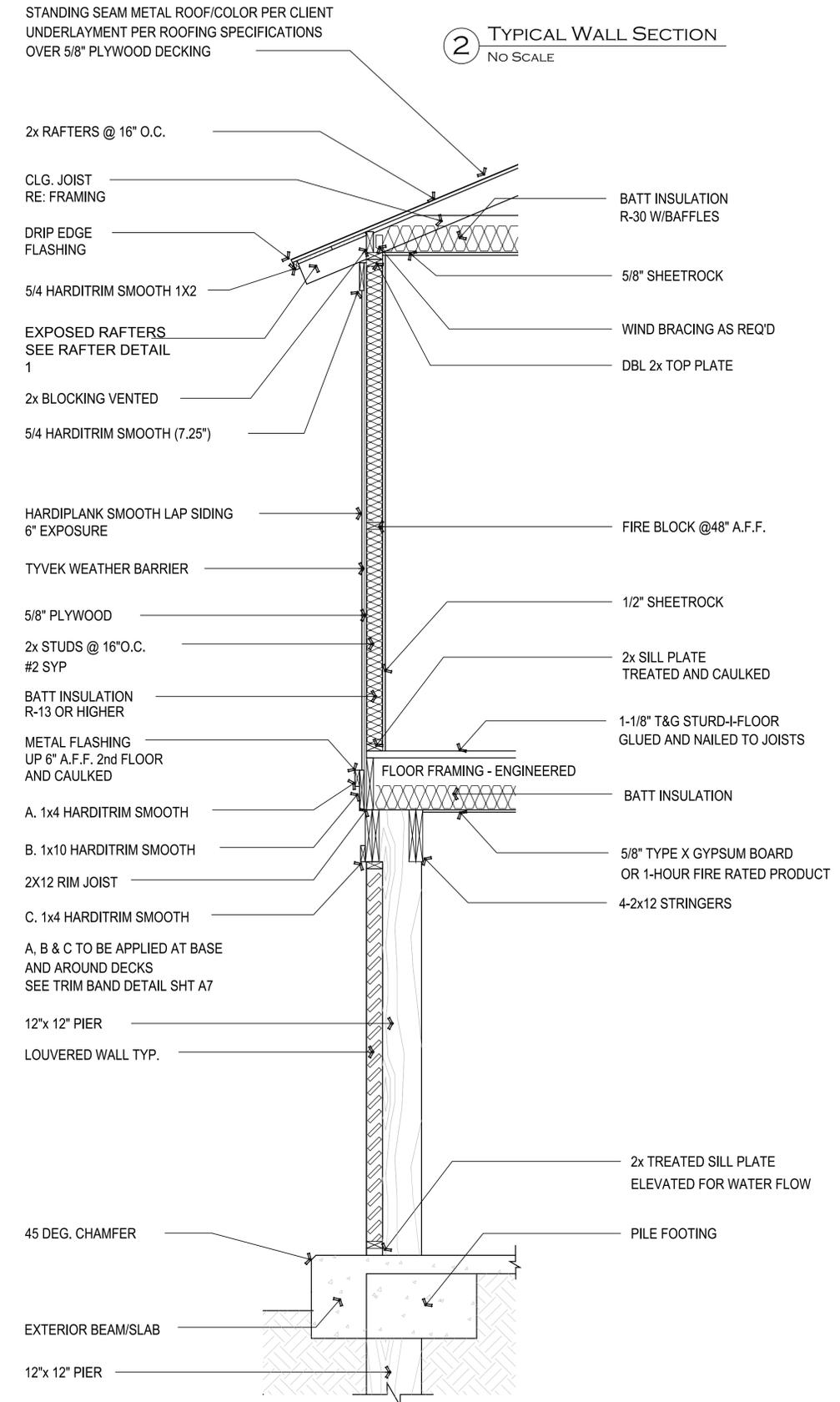
1 ROOF PLAN
SCALE: 1/4" = 1'



3 RAFTER DETAIL 1
SCALE: 1 1/2" = 1'-0"



2 TYPICAL WALL SECTION
NO SCALE



NOTE:
SEE ELEVATIONS FOR VARYING ROOF PLATE HTS., PITCHES AND OVERHANG
ALL EXTERIOR TRIM, WINDOW AND DOOR CASING TO BE APPLIED FIRST WITH SIDING BUTTED UP TO
TRIM ALL EXTERIOR TRIM, FASCIA, SOFFIT AND FREIZE BOARD TO BE JAMES HARDIE PRODUCTS
ENGINEERING SPECIFICATIONS OVERRIDE ANY CONFLICT WITH THESE

FINAL SET 01/13/20

NO.	REVISION/ISSUE	DATE
1	UPDATES PER CITY	12/04
2	UPDATES PER CITY	12/23
3	UPDATES PER CITY	01/13
4		
5		
6		

CULWELL DESIGNS
9007 LEWIS LN. GALVESTON, TX 77554
713-213-9804 CULWELLDIGNS@ATT.NET

PROJECT NAME AND ADDRESS
PROPOSED BEACH HOUSE FOR
TOM TRAN
7 GRAND BEACH
GALVESTON, TX 77554

COPYRIGHT © 2019
TO THE BEST OF OUR KNOWLEDGE, THESE PLANS, DRAWINGS AND SPECIFICATIONS ARE DESIGNED TO COMPLY WITH THE OWNER'S WISHES AND CRITERIA. ANY CHANGES MADE TO THESE DRAWINGS AFTER FINAL PRINTS ARE MADE, WILL BE AT THE SOLE EXPENSE OF THE OWNER/CONTRACTOR.
THE OWNER/CONTRACTOR WILL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, DETAILS AND SPECIFICATIONS.
CULWELL DESIGNS, THEIR EMPLOYEES, OR SUBCONTRACT LABOR PERSONNEL WILL NOT BE LIABLE FOR ANY HUMAN ERROR AFTER CONSTRUCTION HAS BEEN STARTED.
NO WARRANTIES ARE GIVEN OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY OF THESE PLANS. ALL STRUCTURAL AND FOUNDATION DESIGN IS TO BE CHECKED, VERIFIED AND STAMPED BY A LICENSED ENGINEER.
THESE PLANS ARE THE SOLE PROPERTY OF CULWELL DESIGNS AND ARE FOR THE SOLE USE ON A SPECIFIC PROJECT AND MAY NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM CULWELL DESIGNS.

DRAWN BY S. CULWELL	SHEET
DATE 01/13/20	A9
SCALE SHOWN	OF 10

Attachment “D”

Site Photos





100 NYA







NO
TRESPASSING
PRIVATE PROPERTY
VIOLATORS WILL BE
PROSECUTED





Attachment “E”
GLO Comment Letter



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

December 16, 2019

Via Electronic Mail

Virginia Greb
Coastal Resources Assistant Manager
Development Services Department
City of Galveston
823 Rosenberg, Room 401
Galveston, Texas 77550-2103

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston

Site Address: 7 Grand Beach Boulevard, Galveston
Legal Description: The Preserve at Grand Beach (2014) ABST 628, Block 1, Lot 15, Acres 0.247
Lot Applicant: Mai Dang & Tom Tran – Wilde Raine, LLC
Case Number: 19P-066
GLO ID No.: BDCOG-19-0334

Dear Ms. Greb:

The General Land Office (GLO) has reviewed the application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to construct a single-family residence with a brick paver driveway. The proposed construction is located partially within 200 feet of the 350-foot adjudicated public beach easement, which is the line of vegetation in this location.¹ According to the Bureau of Economic Geology, the area is stable.

Based on the information provided to our office for review, we have the following comments:

- In the area from 25 feet landward of the north toe of the dune to 200 feet landward of the line of vegetation, the applicant is limited to using pervious materials or unreinforced fibercrete in four-foot by four-foot sections, four inches thick with sections separated by expansion joints to pave only the ground beneath the habitable structure and a driveway connecting the habitable structure to the street.² A habitable structure is defined as a structure used or usable for habitation.³ The area beneath uncovered decks or stairs may not be paved. The use of reinforced concrete is prohibited in this area.
- The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.⁴

¹ Galveston East Beach, Inc. v. The State of Texas (10th Judicial District Court, 1964).

² City of Galveston Beach Access Plan § 29-90(j)(1)(h)(2).

³ City of Galveston Beach Access Plan § 29-54.

⁴ 31 Tex. Admin. Code § 15.5(b)(3).

- The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.⁵
- The City must ensure the proposed construction is consistent with FEMA minimum requirements or with the FEMA approved local ordinance.⁶
- The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.⁷

If you have any questions, please contact me at (512) 463-5232 or at michelle.culver@glo.texas.gov.

Sincerely,



Michelle Culver
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

cc: Dustin Henry, Coastal Resources Manager

⁵ 31 Tex. Admin. Code § 15.6(f)(4).

⁶ 31 Tex. Admin. Code § 15.6(e)(3).

⁷ 31 Tex. Admin. Code § 15.6(g).



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

January 7, 2020

Via Electronic Mail

Virginia Greb
Coastal Resources Assistant Manager
Development Services Department
City of Galveston
823 Rosenberg, Room 401
Galveston, Texas 77550-2103

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston

Site Address: 7 Grand Beach Boulevard, Galveston
Legal Description: The Preserve at Grand Beach (2014) ABST 628, Block 1, Lot 15, Acres 0.247
Lot Applicant: Mai Dang & Tom Tran – Wilde Raine, LLC
Case Number: 19P-066
GLO ID No.: BDCOG-19-0334a

Dear Ms. Greb:

The General Land Office (GLO) has reviewed the amended application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes an amendment to an original permit application to construct a single-family residence with a brick paver driveway to now locate the proposed construction further landward. The proposed construction is now located more than 200 feet landward of the 350-foot adjudicated public beach easement, which is the line of vegetation in this location.¹ According to the Bureau of Economic Geology, the area is stable.

All previous requirements and comments provided in the GLO comment letter BDCOG-19-0334 apply to the proposed project and are enforceable under law. Based on the information provided to our office for review, we have no further comments.

If you have any questions, please contact me at (512) 463-5232 or at michelle.culver@glo.texas.gov.

Sincerely,

Michelle Culver
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

¹ Galveston East Beach, Inc. v. The State of Texas (10th Judicial District Court, 1964).

Ms. Greb
January 7, 2020
Page 2 of 2

cc: Dustin Henry, Coastal Resources Manager



19P-069

STAFF REPORT

ADDRESS:

11391 Beachside Drive

LEGAL DESCRIPTION:

Property is legally described as Lot 431, Beachside Village Section 4 (2016), a subdivision located in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Beachside Village Builders, Debbie Reinhart

PROPERTY OWNER:

Samuel Dewayne Dowdy and Rhonda Islet Dowdy

REQUEST:

Beachfront Construction Certificate/Dune Protection Permit for construction of a single-family dwelling, driveway, and perimeter fence.

APPLICABLE LAND USE

REGULATIONS:

Chapter 29, Article 2, Beach Access Dune Protection and Beachfront Construction Regulation.

STAFF RECOMMENDATION:

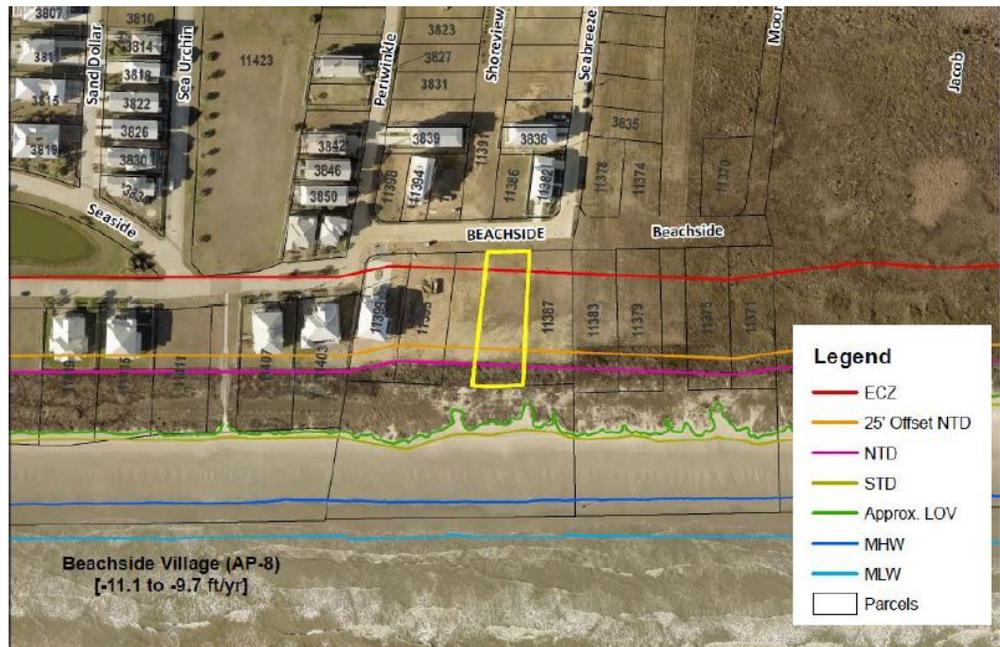
Approval with Conditions

EXHIBITS:

- A – Aerial Map
- B – Topographic Survey
- C – Site Plan & Drawings
- D – Photos of Site
- E – Comment Letter from GLO

STAFF:

Virginia Greb
Coastal Resources Asst. Mgr.
VGreb@GalvestonTX.gov



Note: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Executive Summary:

The City of Galveston’s Dune Protection and Beach Access Plan designates the Planning Commission as the authority to review and consider for approval of applications for a Beachfront Construction Certificate/Dune Protection Permit when the proposed construction activities will occur in areas within or seaward of the Dune Conservation Area or up to 50-feet landward of the Dune Protection Line. The Dune Protection Line is defined as the area within 25-feet landward of the north toe of the critical dune area, or for those beach areas where no dunes exist west of the terminus of the Seawall, within 200-feet landward of the line of vegetation.

The applicant is requesting approval to construct a single-family dwelling, driveway, and perimeter fence in an area approximately 25-feet from the North Toe of the Critical Dune Area, and within the Enhanced Construction Zone. The proposed construction abuts the Dune Protection Line and is within the Planning Commission review area. According to the application materials, the proposed construction activities appear to be landward of dunes and dune vegetation. Therefore, no mitigation activities are proposed.

Site and Surrounding Area:

The subject site is a 0.3567-acre lot located in the Beachside Village Subdivision. There is an undeveloped lot to the North, beach area to the South, a single-family dwelling located to the East, and beach access open space to the West of the subject property.

According to the Bureau of Economic Geology, between the 1950s and 2012 this beach area has experienced an average shoreline change rate of -11.1 to -9.7 feet per year.

Analysis:

The table below summarizes details from the applicant site plan and survey (Attachments “B” and “C”) regarding the proposed new construction and the location of proposed construction in relation to on-site conditions:

Proposed Structure’s Distance from:	Distance (Feet)
...North Toe of the Dune	25’
...the Line of Vegetation	132’
...South Toe of the Dune	132’

In accordance with Chapter 29: Planning – Beach Access Dune Protection & Beach Front Construction, before issuing a permit, the Planning Commission must find that the proposed construction conforms with the following Beachfront Construction Certificate and Dune Protection Permit standards:

(1) The proposed activity is not a prohibited activity as defined in these standards.

The request partially conforms to the City of Galveston’s Dune Protection and Beach Access Plan, and Erosion Response Plan. The drawings, (Attachment “C”), are submitted with this request.

The proposed construction is not located as far landward as practicable. The applicant submitted a revised plan moving the structure seaward of the original location proposed. The proposed structure now abuts the 25-foot offset from the North Toe of the Critical Dune Area. According to the Texas Administrative Code, all construction shall be located as far landward as is practicable and shall not allow any construction that may aggravate erosion.

A perimeter fence is proposed at the North Toe of the Critical Dune Area. The proposed perimeter fence partly encroaches on within the Dune Conservation Area, which is the area from the Line of Vegetation to 25-foot landward of the North Toe of the Dune. Construction within this region is prohibited without an exemption. The applicant has not submitted an exemption request for city and state review.

A future studio is indicated on the site plan. The applicant did not supply construction drawings for the proposed studio. Therefore, it cannot be reviewed with this application. A separate application will be required.

The proposed construction abuts the Dune Protection Line and the Dune Conservation Area, therefore a ground floor enclosure is permitted. Note: the City’s locally adopted flood ordinance requires ground floor enclosures to be no greater than 299 square feet as measured from the outside of the enclosure.

(2) The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of these standards.

According to Section 29-2(k) Technical Standards, the Planning Commission shall not approve an application for construction if it is determined that it will result in a material weakening and material damage of dune vegetation. The following standards are to be used to make this determination:

- a. The activity shall not result in the potential for increased flood damage to the proposed construction site or adjacent property;
- b. The activity shall not result in runoff or drainage patterns that aggravate erosion on or off the site;
- c. The activity shall not result in significant changes to dune hydrology;

- d. The activity shall not result in adverse effects on dune complexes or dune vegetation;
- e. The activity shall not significantly increase the potential for washovers or blowouts to occur; or
- f. The Commission shall not issue a Beachfront Construction Certificate and Dune Protection Permit authorizing construction unless the construction and property design is designed so as to minimize impacts on natural hydrology. Such projects shall not cause erosion to adjacent properties, critical dune areas, or the public beach.

The Technical Standards also state that the Planning Commission should take into consideration all comments from the Texas General Land Office when deciding whether to grant a Beachfront Construction Certificate/Dune Protection Permit. Should the Planning Commission approve this request, comments from the Texas General Land Office are listed in Attachment "E" and are recommended as specific conditions.

The proposed construction will be required to be consistent with FEMA minimum requirements, which should not increase the potential for increased flood damage to the construction site or adjacent property.

As a result of the construction, the applicant is prohibited from affecting runoff or drainage patterns that would aggravate erosion on or off site, result in significant changes to dune hydrology, or significantly increase the potential for washovers or blowouts to occur. Runoff should be directed away from the dune area. The applicant is required to direct all non-natural drainage on the lot away from the beach and dunes, and toward the drainage infrastructure in the subdivision and in the street landward of the lot. Drainage plans are to be reviewed and approved by the City Engineering Department.

Staff finds that the proposed construction will not materially weaken dunes or materially damage dune vegetation as defined by these Technical Standards. The proposed construction activities are to be located at the Dune Protection Line, which is 25-feet landward of the North Toe of the Critical Dune Area.

(3) There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the Mitigation sequence as outlined in these Standards.

The City's Dune Protection and Beach Access Plan states that the Planning Commission shall utilize the Mitigation Sequence in determining whether to issue a permit for an activity located seaward of the Dune Protection Line, after the determination that no material weakening of dunes or material damages to dunes will occur within critical dune areas or seaward of the Dune Protection Line. The mitigation sequence is as follows:

- 1) **Avoid** the impact altogether by not taking a certain action or parts of an action;
- 2) **Minimize** impacts by limiting the degree or magnitude of the action and its implementation;
- 3) **Rectify** the impact by repairing, rehabilitating, or restoring the affected environment; and,
- 4) **Compensate** for the impact by replacing resources lost or damaged.

According to the application materials, the entirety of the proposed construction will be located landward of the Dune Protection Line, therefore no adverse effects to dunes or dune vegetation are anticipated.

(4) The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, if required, will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects.

No construction activities seaward of the Dune Protection Line are proposed with this request and no adverse effects to dunes or dune vegetation are expected

(5) The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and

The application partially conforms to the City of Galveston's requirements for a Beachfront Construction Certificate and Dune Protection Permit and the City's requirements for the management of the public beach.

(6) The structure is located as far landward as practicable.

The proposed construction abuts the Dune Conservation Area, which is 25-feet landward of the North Toe of the Critical Dune Area. It appears that construction could be located farther landward as proposed in the original application submittal.

The proposed construction is within the Enhanced Construction Zone, which is an area defined as being 125-foot landward of the Dune Conservation Area along Galveston's Gulf coast with an aggregate shoreline change of -2 to -8 feet per year. The City's Erosion Response Plan requires the following additional construction standards for any proposed construction activities within the Enhanced Construction Zone:

- Plans and certifications for proposed structures shall be sealed by a registered professional engineer licensed in the State of Texas, providing evidence of the adequacy of elevated building foundations and the proper placement, compaction, and protection of fill when used as construction for all newly constructed, substantially damaged, and substantially improved buildings elevated on pilings, posts, piers, or columns in accordance with the latest edition of specifications outlined in American Society of Civil Engineers, Structural Engineering Institute, Flood Resistant Design and Construction, ASCE 24-05.

Staff Recommendation:

Staff recommends approval of 19P-069 with the following conditions:

Specific Conditions to Case 19P-069:

1. The applicant shall submit a revised plan relocating the proposed construction as far landward as practicable prior to the issuance of the Beachfront Construction/Dune Protection permit;
2. The applicant shall submit a letter to request an exemption from the prohibition on construction within or seaward of the Dune Conservation Area for review of the proposed perimeter fence;
3. A future studio is indicated on the site plan. The applicant did not supply construction drawings for the proposed studio. Therefore, it cannot be reviewed with this application. A separate application shall be required;
4. Plans and certifications for proposed structures within the enhance construction zone shall be sealed by a registered professional engineer licensed in the State of Texas, providing evidence of the adequacy of elevated building foundations and the proper placement, compaction, and protection of fill when used as construction for all newly constructed, substantially damaged, and substantially improved buildings elevated on pilings, posts, piers, or columns in accordance with the latest edition of specifications outlined in American Society of Civil Engineers, Structural Engineering Institute, Flood Resistant Design and Construction, ASCE 24-05;
5. The applicant shall adhere to all comments from the Texas General Land Office (GLO) included in Attachment "E":

- a. The applicant proposes an amendment to the original permit application to move the proposed single-family residence further seaward, which is prohibited. The proposed construction is not located as far landward as practicable. The City must require the applicant to locate the construction as far landward as practicable.
- b. In the area seaward of 25-feet from the north toe of the dune, paving or altering the ground in any manner, which includes mowing, grading, filling, fertilizing, or the use of fibercrete and crushed rock, is prohibited.
- c. The proposed perimeter fence partly encroaches within the City of Galveston Dune Conservation Area, which is identified as the area from the line of vegetation to 25-feet landward of the north toe of the dune. Construction within this region is prohibited without an exemption. The City must approve the applicant's determination that there is no practicable alternative to construction within the Dune Conservation Area and that the proposed construction avoids and minimizes adverse impacts to dunes and dune vegetation to qualify for an exemption. In this instance, practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.
- d. The application indicates that a 20-foot by 15-foot building will be constructed on site in the future but is not proposed in this application. The applicant may not construct this structure until a beachfront construction certificate and dune protection permit has been obtained from the City of Galveston to do so.
- e. Paving used under the habitable structure and for driveways connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in four-foot-by-four-foot sections, four-inches thick with sections separated by expansion joints or pervious material. A habitable structure is defined as a structure used or usable for habitation. The area beneath uncovered decks or stairs may not be paved.
- f. The driveway must be limited to the linear width of the primary structure, along the main street, and a minimum of 15% of the front yard must be maintained as open/unimproved area.
- g. The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.
- h. The applicant proposes to construct an enclosure beneath the habitable structure. The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.
- i. The City must ensure the proposed construction is consistent with at least the minimum FEMA requirements or with the FEMA approved local ordinance.
- j. The City must ensure the proposed habitable structure is designed for feasible relocation.
- k. The proposed construction activities must not result in the potential for increased flood damage to the proposed construction site or adjacent property, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely affect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.

- l. The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.
- m. Please be advised that the line of vegetation is dynamic. Structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of the line of mean high tide will periodically be reassessed on a case-by-case basis, and owners may be allowed to make certain repairs under the Beach/Dune rules and local government plans.
- n. If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned lands. Repairs are prohibited and the state may take action to remove the structure.

Standard Conditions:

- 6. Work approved under this permit shall be completed within one (1) year from the date this permit is issued. If work is not completed in this time period, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate/Dune Protection Permit, unless an extension of the period, prior to the expiration, has been submitted to the Texas General Land Office for review and approved by the City;
- 7. Any alterations to the project, as approved, shall return to the Planning Commission and/or Texas General Land Office for additional review and approval;
- 8. All non-natural drainage from the dwelling shall be directed away from the beach and dunes, toward the street landward of the lot and to the drainage infrastructure in the subdivision, and drainage plans shall be submitted to the City of Galveston Public Works Department, Division of Engineering for approval;
- 9. The area seaward of the dwelling shall be designated a dune protection area, prohibiting any alteration of natural conditions in this area, except for any future proposed dune walkovers, approved by the Development Services Department and the Texas General Land Office under separate review;
- 10. The applicant shall coordinate any/all dune enhancement plans with the Development Services Department; and,
- 11. The applicant must adhere to all aspects of Section 29: Planning-Beach Access Dune Protection & Beachfront Construction.

ERP PRACTICABLE DEFINITION

Practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.

TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)

In determining what is practicable, local governments shall consider the effectiveness, scientific feasibility, and commercial availability of the technology or technique. Local governments shall also consider the cost of the technology or technique.

Respectfully Submitted,

Virginia Greb

Virginia Greb
Coastal Resources Assistant Manager

01/24/2020

Date



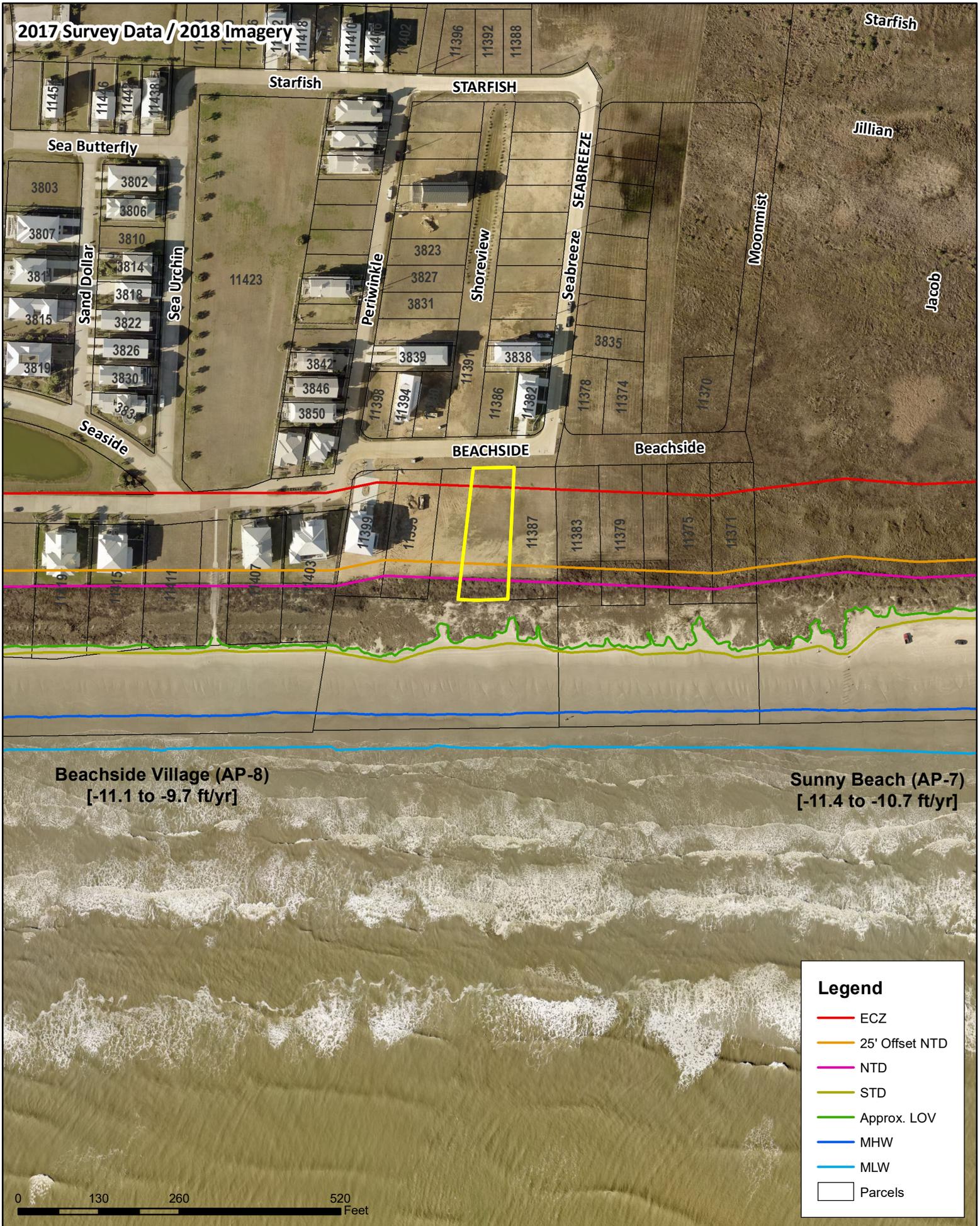
Catherine Gorman, AICP
Assistant Planning Director / HPO

01/27/2020

Date

Attachment “A”

Aerial Map



Beachside Village (AP-8)
[-11.1 to -9.7 ft/yr]

Sunny Beach (AP-7)
[-11.4 to -10.7 ft/yr]

Legend

- ECZ
- 25' Offset NTD
- NTD
- STD
- Approx. LOV
- MHW
- MLW
- Parcels

0 130 260 520 Feet

11391 BEACHSIDE DR (Case #19P-069)

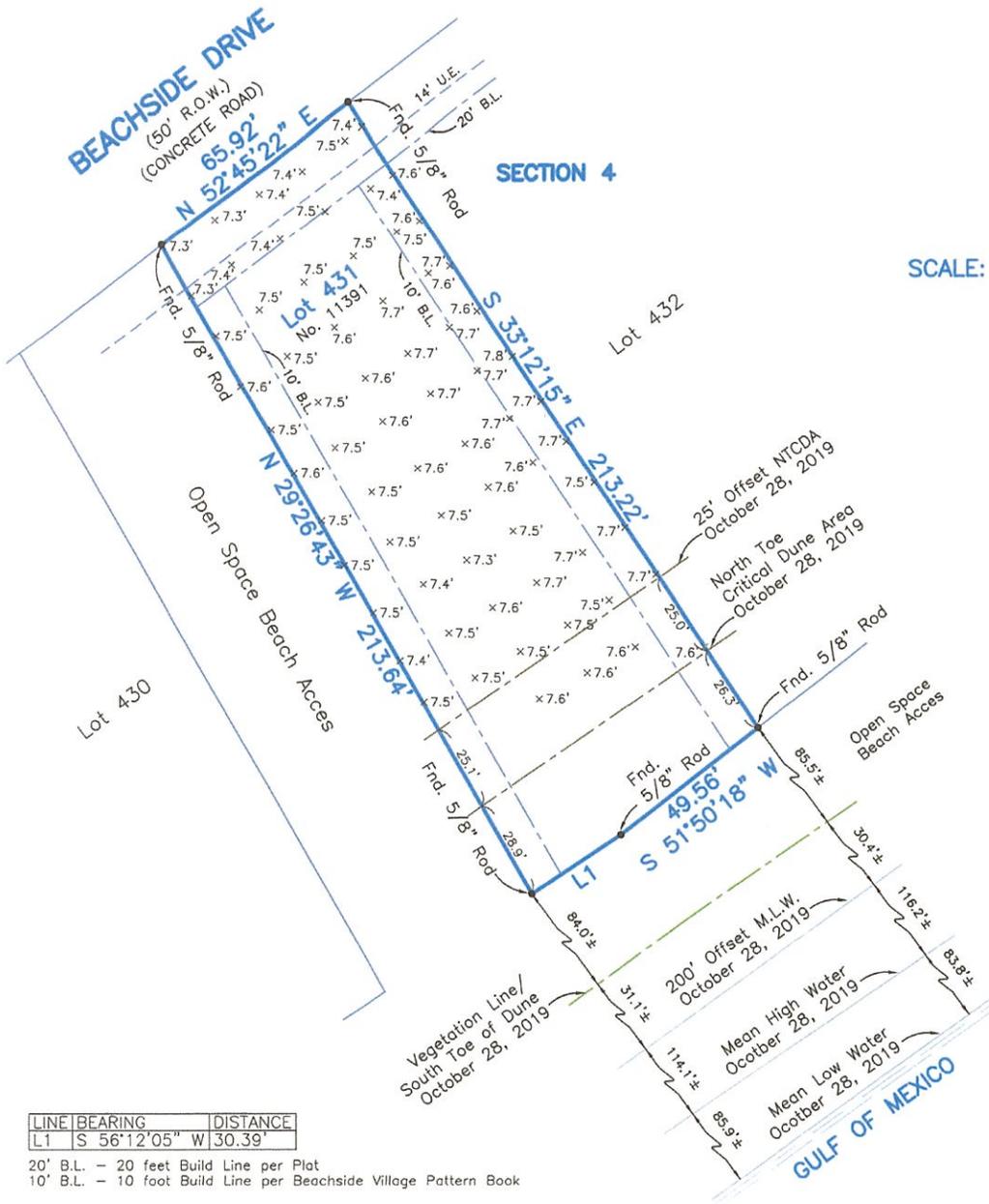
Map prepared by the City of Galveston Development Services Department (VGreb) - 12/3/2019
Data Sources: Topographic Data from Atkins July 2017 wading depth surveys, 2018 Aerial Imagery and Parcel Data from Galveston CAD

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.



Attachment “B”
Topographic Survey



SCALE: 1" = 40'

Survey of Lot Four Hundred Thirty-One (431), of BEACHSIDE VILLAGE, SECTION FOUR (4), Amended Plat, an addition in Galveston County, Texas, according to the map or plat thereof recorded under Instrument No. 2016074762, of the Map Records in the Office of the County Clerk of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brian S. House
 Brian S. House
 Registered Professional
 Land Surveyor No. 6520



REVISION:	NOVEMBER 14, 2019
SURVEY DATE:	OCTOBER 28, 2019
FILE No.:	1637-0000-0431-000
DRAFTING:	AM
JOB No.:	19-0810

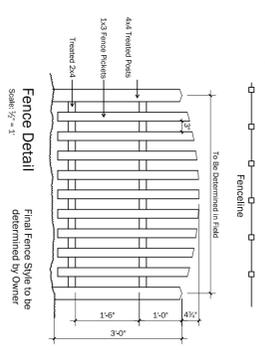
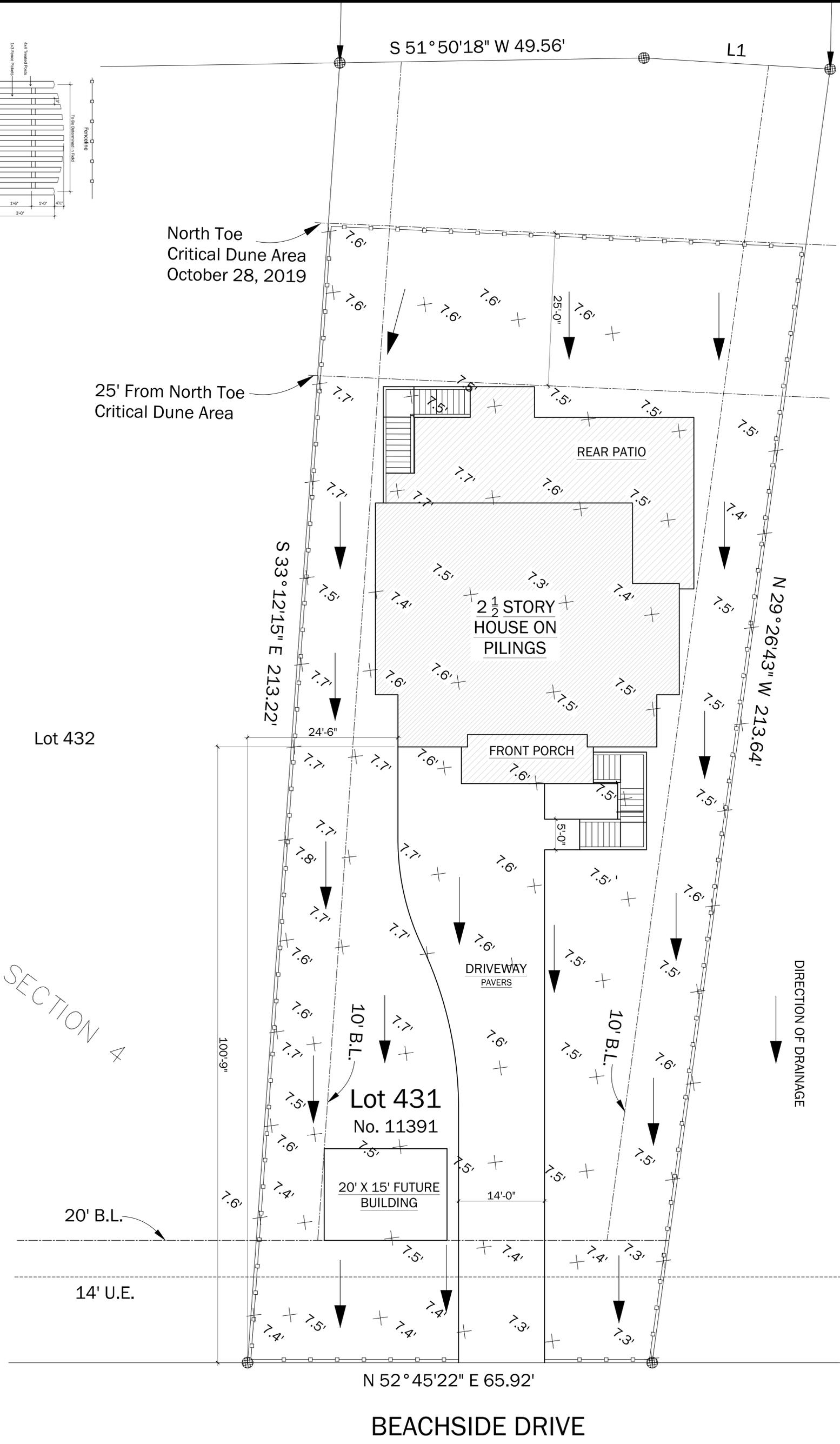
GALVESTON OFFICE
 Registration Number: 10193855
 (409) 740-1517 www.hightidelandsurveying.com
 8017 HARBORSIDE DRIVE | GALVESTON, TX 77554
 Mailing | P.O. BOX 16142 | GALVESTON, TX 77552

- NOTES:**
- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
 - 2) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA (call your power company).
 - 3) Bearings based on Monumentation of South R.O.W. line of Beachside Drive, being a 5/8 rod at Northeast corner of Lot 432, and a 5/8 inch rod at Lot 430.
 - 4) Surveyed without benefit of a Title Report.

Attachment “C”
Site Plan
&
Drawings

Open Space Beach Access

1 Site & Drainage Plan
Scale: 1" = 7'6"



S 51° 50' 18" W 49.56'

L1

North Toe
Critical Dune Area
October 28, 2019

25' From North Toe
Critical Dune Area

REAR PATIO

2 1/2 STORY
HOUSE ON
PILINGS

FRONT PORCH

DRIVEWAY
PAVERS

Lot 431
No. 11391

20' X 15' FUTURE
BUILDING

DIRECTION OF DRAINAGE

Lot 432

S 33° 12' 15" E 213.22'

N 29° 26' 43" W 213.64'

N 52° 45' 22" E 65.92'

BEACHSIDE DRIVE

SECTION A

Culwell Designs

Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

No.	Revision/Issue	Date
1	90° Build Line Reviewed	12-18-19
2		
3		
4		
5		
6		

Proposed Beach house for
**The Dowdy
Family**
11391 Beachside Drive
Galveston, TX 77554

Culwell Designs, their employees, agents, and subcontractors, shall not be liable for any human error, omission, or negligence in the design or construction of this project. No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified and stamped by a licensed engineer. It is the responsibility of the owner/contractor to obtain all necessary permits and specifications before construction begins.

Drawn By S. Culwell	Sheet A2
Date 12/18/19	Scale Shown
of 14	



DRAWING INDEX

A1	TITLE PAGE
A2	SITE PLAN
A3	FOUNDATION
A4	GROUND FLOOR PLAN
A5	1ST FLOOR PLAN - W/D SCHEDULES
A6	2ND & 3RD FLOOR PLAN
A7	ELECTRICAL - 1ST & 2ND
A8	ELECTRICAL - GROUND & 3RD
A9	FRONT ELEVATION & EXT. DETAILS
A10	REAR ELEVATION
A11	LEFT SIDE ELEVATION
A12	RIGHT SIDE ELEVATION
A13	ROOF - WALL SECTION
A14	CABINETRY - TBD

Proposed Beach house for
The Dowdy Family
 11391 Beachside Drive
 Galveston, TX 77554

Square Footage	
1st Floor:	1693
2nd Floor:	1672
3rd Floor:	802
Total SF:	4167
Decks:	2087
Slab:	2788

Title Final Set 12/18/19		
File Name Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90° Build Line Removed	12-18-19
2		
3		
4		
5		
6		

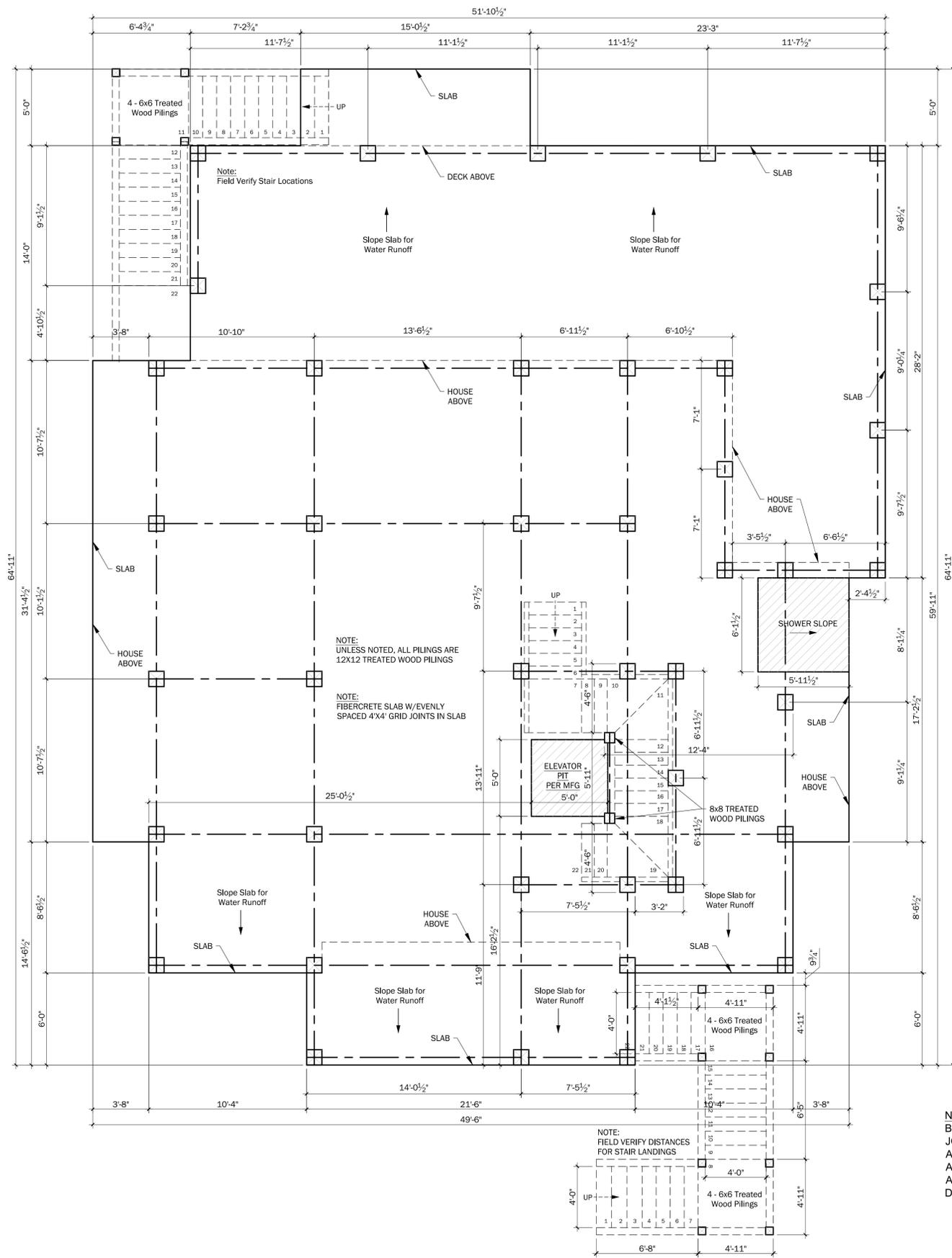
Culwell Designs

Galveston, TX - 713-213-9804
 e-mail: culwelldesigns@att.net

Proposed Beach house for
The Dowdy Family
 11391 Beachside Drive
 Galveston, TX 77554

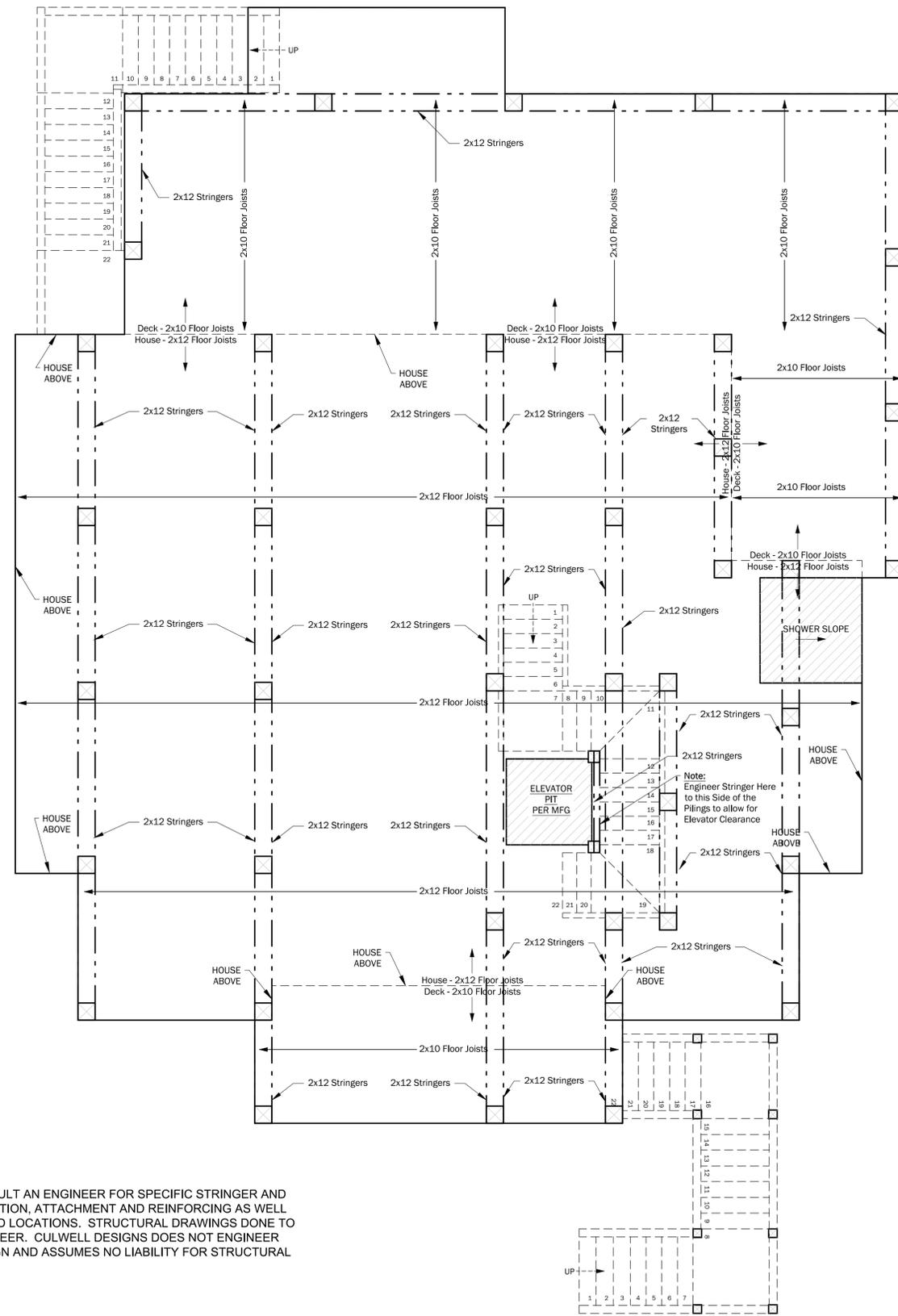
Copyright © 2019
 To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.
 It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.
 Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.
 No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.
 These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By S. Culwell	Sheet A1
Date 12/18/19	A1 of 14
Scale Shown	



1 Foundation - Piling/Slab Layout
Scale: 1/4" = 1'

NOTE:
BUILDER TO CONSULT AN ENGINEER FOR SPECIFIC STRINGER AND JOIST SIZES, LOCATION, ATTACHMENT AND REINFORCING AS WELL AS PILING SIZE AND LOCATIONS. STRUCTURAL DRAWINGS DONE TO ASSIST THE ENGINEER. CULWELL DESIGNS DOES NOT ENGINEER ANY OF THE DESIGN AND ASSUMES NO LIABILITY FOR STRUCTURAL DESIGN.



2 Foundation - Stringer/Joist Layout
Scale: 1/4" = 1'

Title		
Final Set 12/18/19		
File Name		
Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs

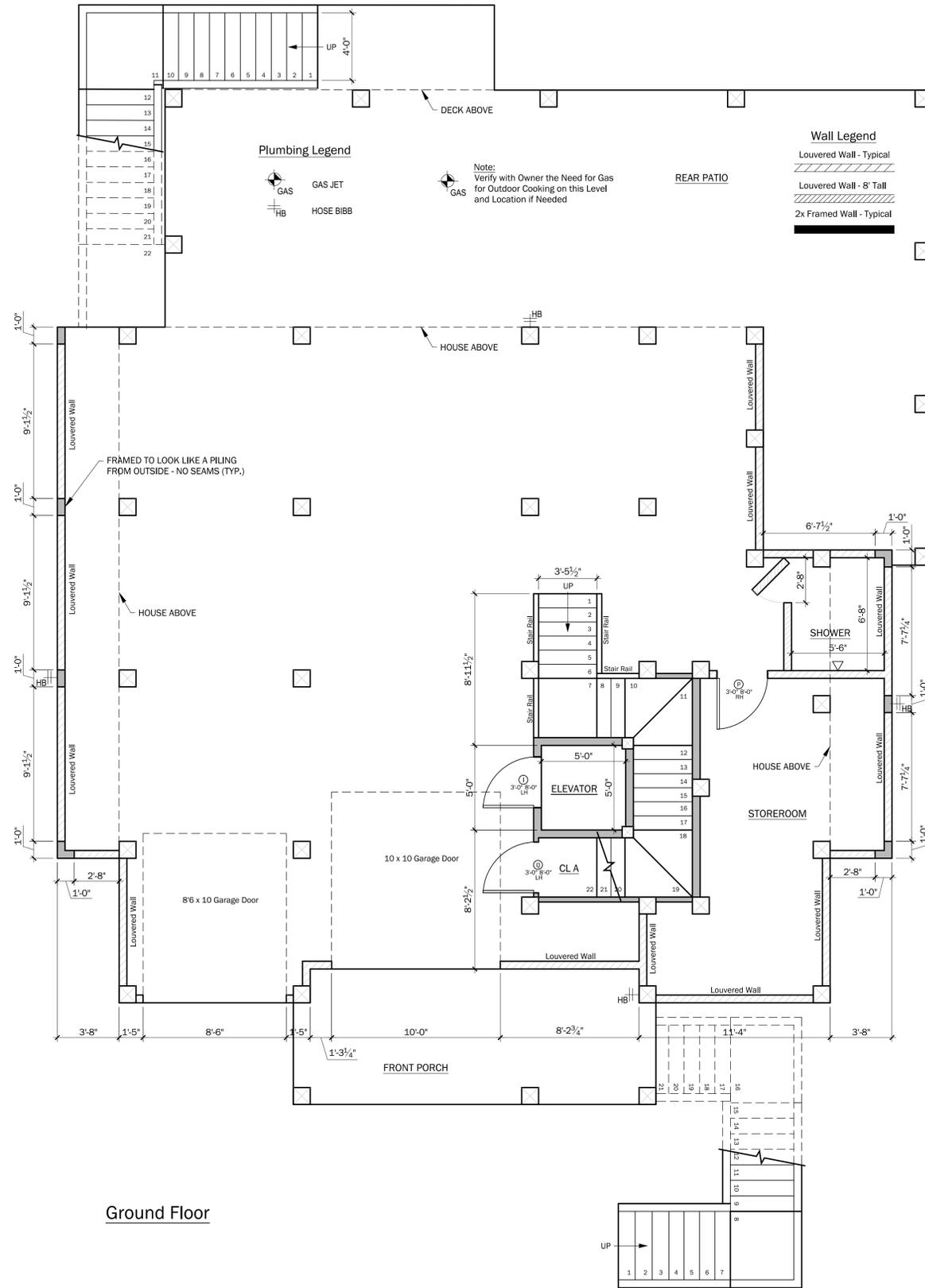
Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Project Name and Address

**Proposed Beach house for
The Dowdy Family**
11391 Beachside Drive
Galveston, TX 77554

Copyright © 2019
To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor. It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins. Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error or after construction has been started. No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified. These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By	S. Culwell	Sheet
Date	12/18/19	A3
Scale	Shown	
		of 14



Ground Floor

1 Floor Plan
Scale : 1/4" = 1'-0"

Title Final Set 12/18/19		
File Name Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs

Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Project Name and Address

Proposed Beach house for
The Dowdy Family
11391 Beachside Drive
Galveston, TX 77554

Copyright © 2019
To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.

It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.

Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.

No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.

These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By S. Culwell	Sheet
Date 12/18/19	A4
Scale Shown	of 14

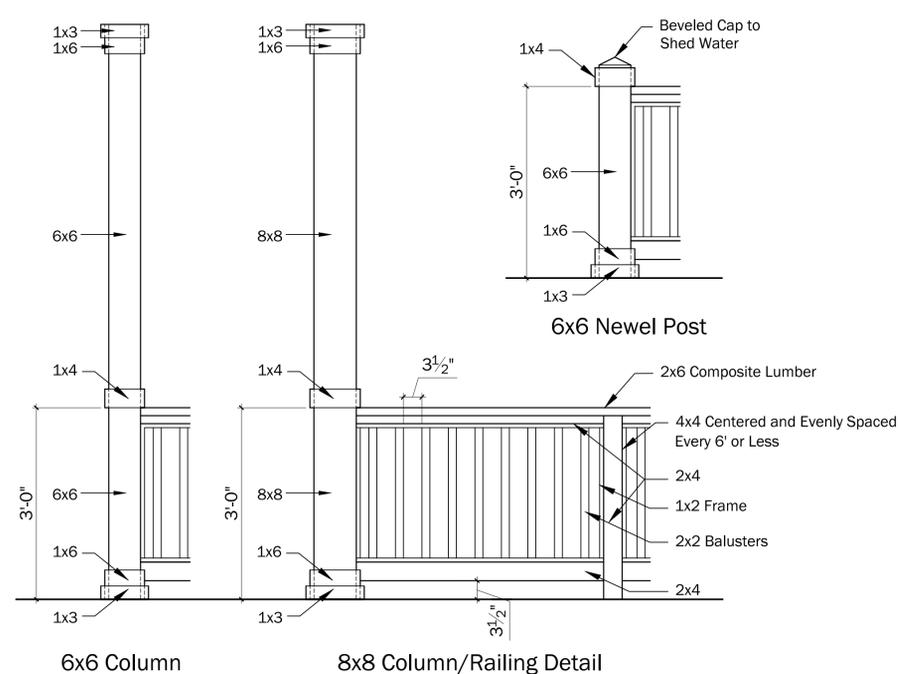


Siding Legend

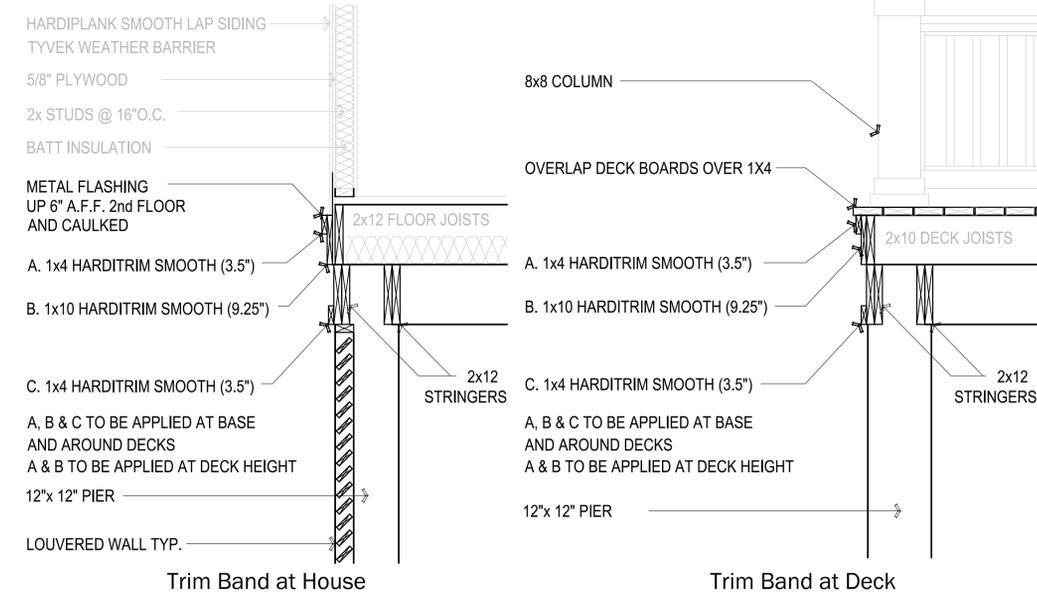
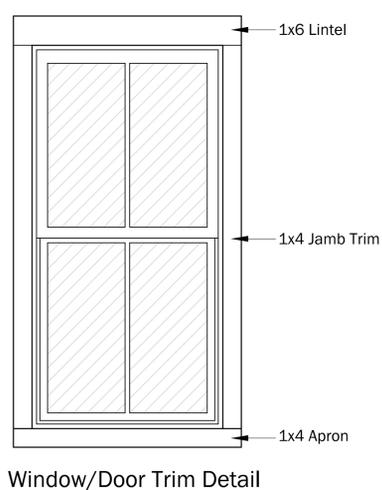
	Hardi Plank 6" reveal
	Hardi Shingle Straight Edge
	Louvered Wall
	Standing Seam Metal Roof
	Window/Door Glass

Note:
 All Trim, Casing and Flashing to be applied first followed by siding
 All Window and Door Casing to be Hardi Trim
 All Trim to be Hardi Trim - Corner Trim 1x6 Freize 1x8
 All Siding to be James Hardi Products
 See Detail Sht A10 - Deck Trim
 Roof to be Standing Seam Metal

1 Front Elevation
 Scale : 1/4" = 1'-0"



2 Exterior Details
 Scale : 3/4" = 1'-0"



Title Final Set 12/18/19		
File Name Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs
 Galveston, TX - 713-213-9804
 e-mail: culwelldesigns@att.net

Project Name and Address
 Proposed Beach house for
The Dowdy Family
 11391 Beachside Drive
 Galveston, TX 77554

Copyright © 2019
 To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.
 It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.
 Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.
 No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.
 These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By S. Culwell	Sheet
Date 12/18/19	A9
Scale Shown	of 14

Title Final Set 12/18/19		
File Name Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs

Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Project Name and Address
Proposed Beach house for
The Dowdy Family
11391 Beachside Drive
Galveston, TX 77554

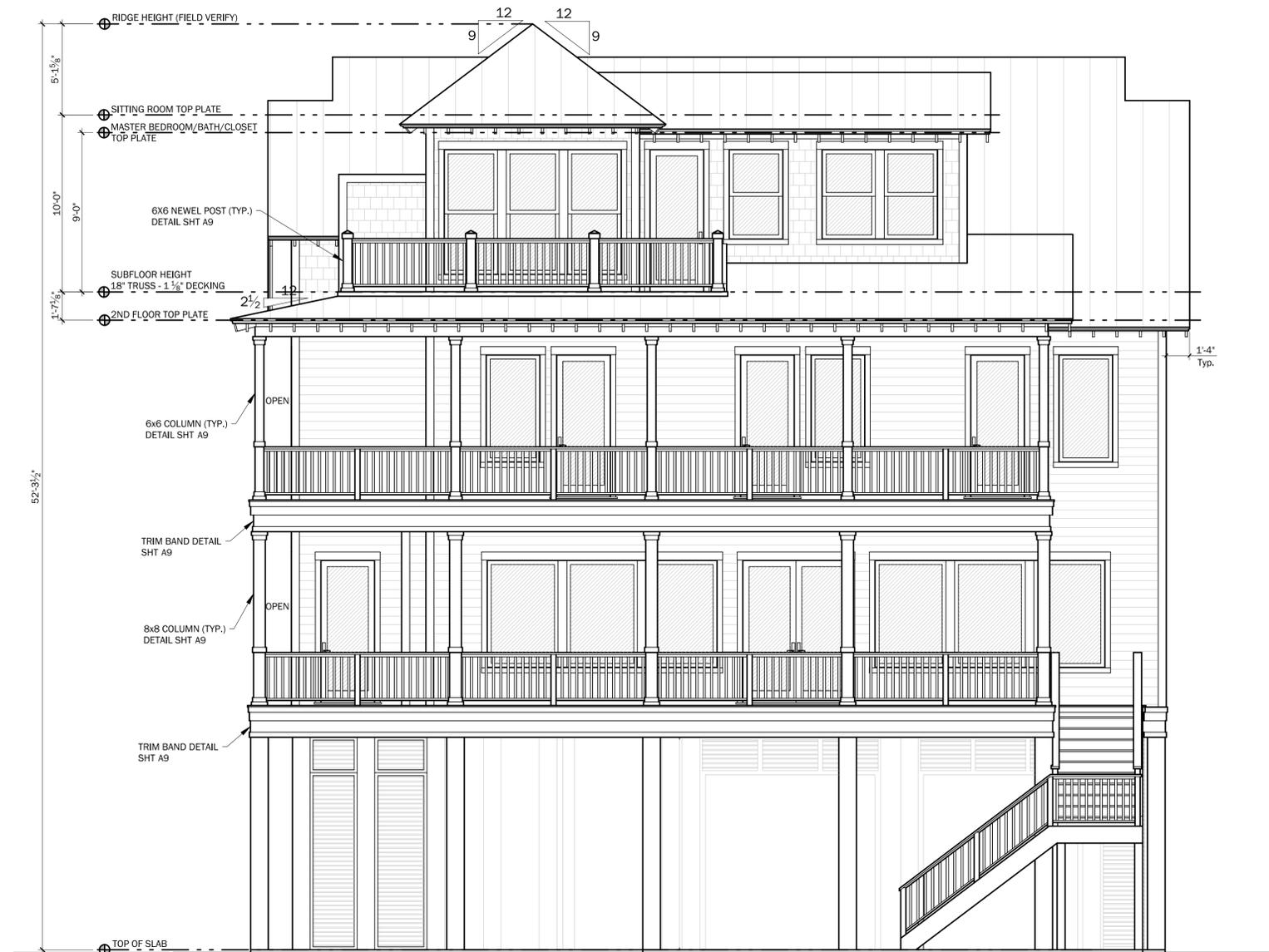
Copyright © 2019
To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.
It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.
Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.
No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.
These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By S. Culwell	Sheet
Date 12/18/19	A10
Scale Shown	of 14

Siding Legend

	Hardi Plank 6" reveal
	Hardi Shingle Straight Edge
	Louvered Wall
	Standing Seam Metal Roof
	Window/Door Glass

Note:
All Trim, Casing and Flashing to be applied first followed by siding
All Window and Door Casing to be Hardi Trim
All Trim to be Hardi Trim - Corner Trim 1x6 Freize 1x8
All Siding to be James Hardi Products
See Detail Sht A10 - Deck Trim
Roof to be Standing Seam Metal



1 Rear Elevation
Scale :1/4" = 1'-0"

Note:
 All Trim, Casing and Flashing to be applied first followed by siding
 All Window and Door Casing to be Hardi Trim
 All Trim to be Hardi Trim - Corner Trim 1x6 Freize 1x8
 All Siding to be James Hardi Products
 See Detail Sht A10 - Deck Trim
 Roof to be Standing Seam Metal



1 Left Elevation
 Scale : 1/4" = 1'

Title		
Final Set 12/18/19		
File Name		
Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs
 Galveston, TX - 713-213-9804
 e-mail: culwelldesigns@att.net

Project Name and Address
 Proposed Beach house for
The Dowdy Family
 11391 Beachside Drive
 Galveston, TX 77554

Copyright © 2019
 To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.
 It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.
 Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.
 No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.
 These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn by	S. Culwell	Sheet
Date	12/18/19	A11
Scale	Shown	of 14



1 Right Elevation
Scale: 1/4" = 1'

Note:
 All Trim, Casing and Flashing to be applied first followed by siding
 All Window and Door Casing to be Hardi Trim
 All Trim to be Hardi Trim - Corner Trim 1x6 Freize 1x8
 All Siding to be James Hardi Products
 See Detail Sht A10 - Deck Trim
 Roof to be Standing Seam Metal

Title		
Final Set 12/18/19		
File Name		
Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs

Galveston, TX - 713-213-9804
 e-mail: culwelldesigns@att.net

Project Name and Address

Proposed Beach house for
The Dowdy Family
 11391 Beachside Drive
 Galveston, TX 77554

Copyright © 2019
 To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.

It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.

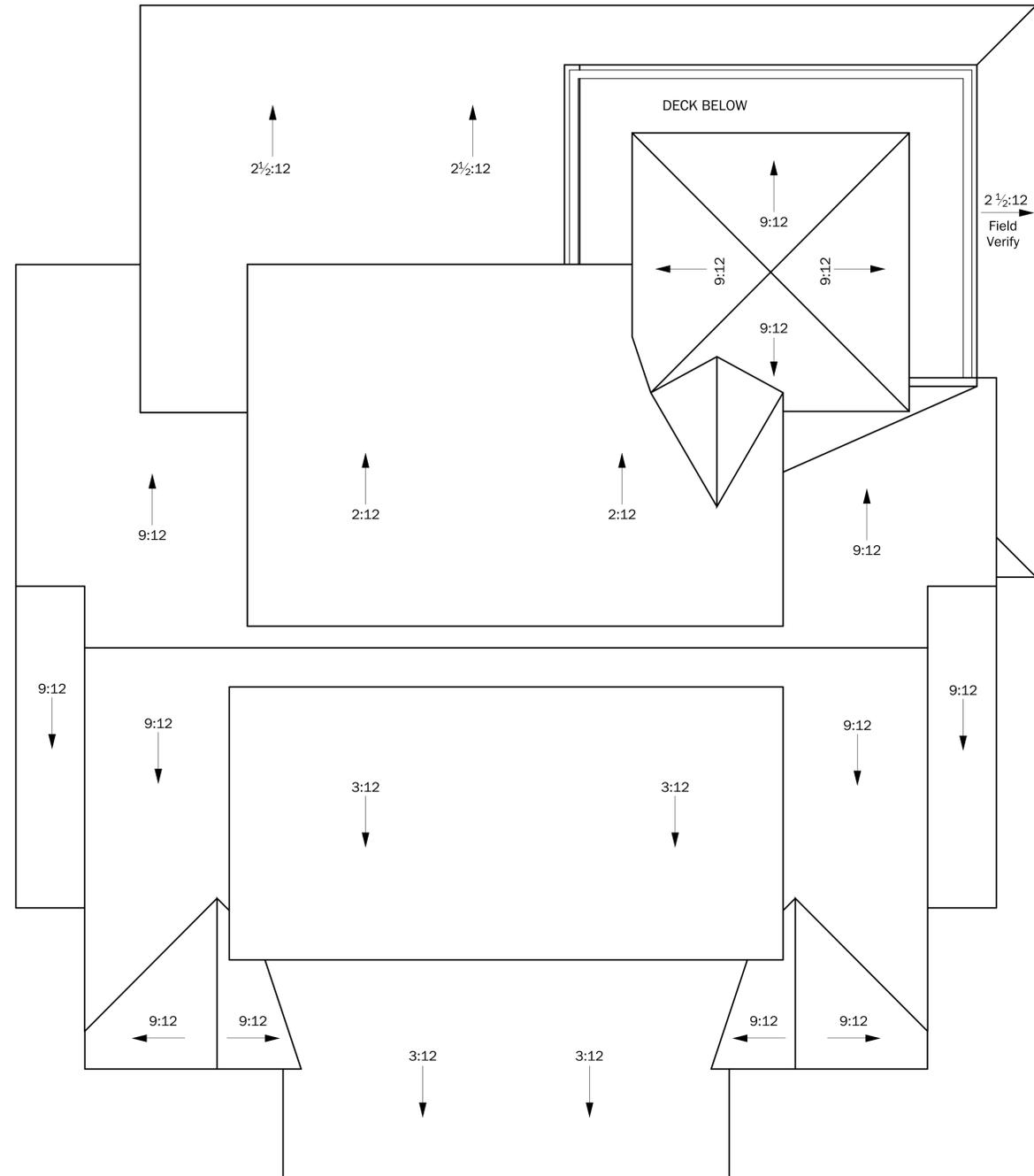
Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.

No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.

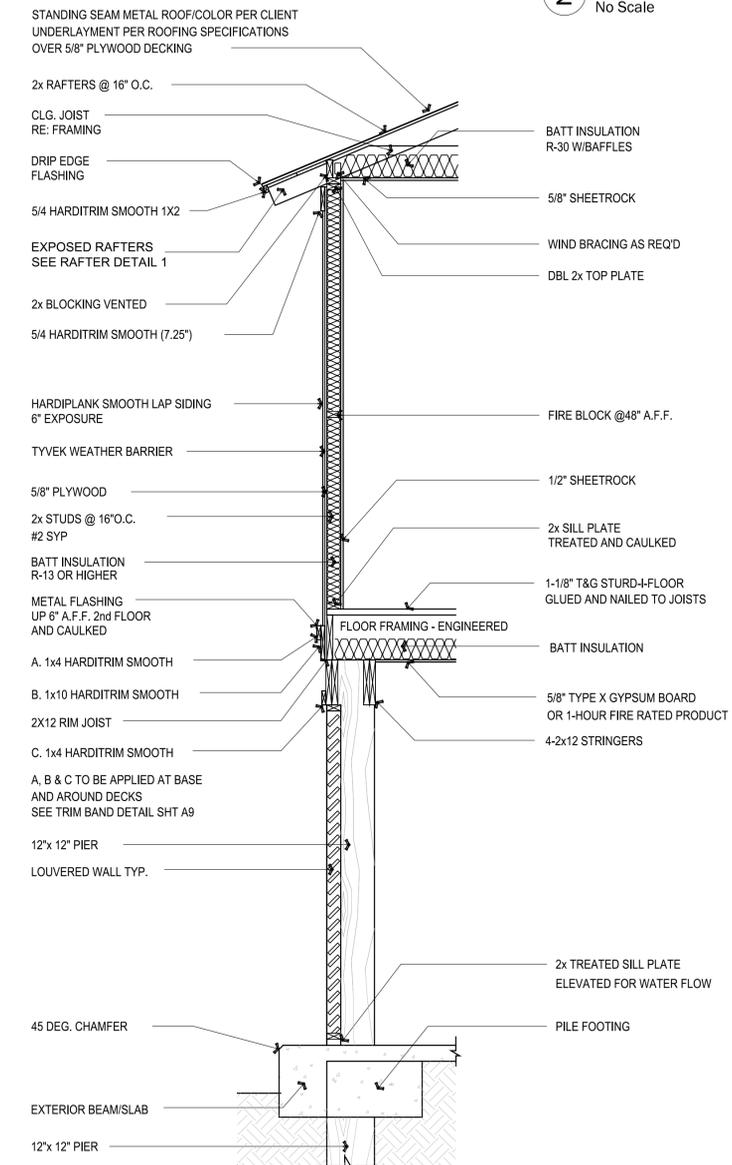
These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn by	S. Culwell	Sheet
Date	12/18/19	A12
Scale	Shown	of 14

1 Roof Plan
Scale: 1/4" = 1'-0"

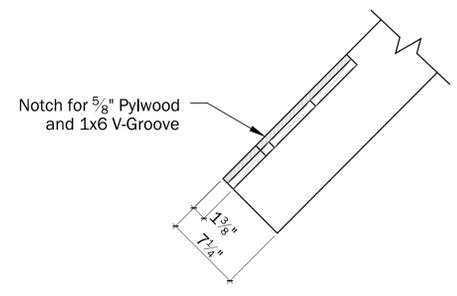


2 Typical Wall Section
No Scale



NOTE:
SEE ELEVATIONS FOR VARYING ROOF PLATE HTS., PITCHES AND OVERHANG
ALL EXTERIOR TRIM, WINDOW AND DOOR CASING TO BE APPLIED FIRST WITH SIDING BUTTED UP TO TRIM
ALL EXTERIOR TRIM, FASCIA, SOFFIT AND FREIZE BOARD TO BE JAMES HARDIE PRODUCTS
ENGINEERING SPECIFICATIONS OVERRIDE ANY CONFLICT WITH THESE

3 Rafter Detail 1
Scale: 1 1/2" = 1'-0"



Title		
Final Set 12/18/19		
File Name		
Dowdy 1 - 11-16-19		
No.	Revision/Issue	Date
1	90' Build Line Removed	12-18-19
2		
3		
4		
5		
6		

Culwell Designs

Galveston, TX - 713-213-9804
e-mail: culwelldesigns@att.net

Project Name and Address

Proposed Beach house for
The Dowdy Family
11391 Beachside Drive
Galveston, TX 77554

Copyright © 2019
To the best of our knowledge, these plans, drawings and specifications are designed to comply with the owner's wishes and criteria. Any changes made to these drawings after final prints are made, will be at the sole expense of the owner/contractor.
It is the responsibility of the owner/contractor to verify all dimensions, details and specifications before construction begins.
Culwell Designs, their employees, or subcontract labor personnel will not be liable for any human error after construction has been started.
No warranties are given or implied as to the completeness or accuracy of these plans. All structural and foundation design to be checked, verified & stamped by a licensed engineer. If the design is to be built in a windstorm area, the engineer must be Windstorm Certified.
These plans are the sole property of Culwell Designs and are for the sole use on a specific project and may not be used on any other project without written permission from Culwell Designs.

Drawn By	S. Culwell	Sheet	A13
Date	12/18/19		
Scale	Shown	of 14	

Attachment “D”

Site Photos

LOT 431
to the North



LOT 431
to the South



Lot 431
to the East



Lot 431
to the west



photo from the beach
showing LOV



Dune to the
East



Dune to the
West



Attachment “E”
GLO Comment Letter



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

January 14, 2020

Via Electronic Mail

Virginia Greb
Coastal Resources Assistant Manager
Development Services Department
City of Galveston
823 Rosenberg, Room 401
Galveston, Texas 77550-2103

Beachfront Construction Certificate and Dune Protection Permit in the City of Galveston

Site Address: 11391 Beachside Dr., Galveston
Legal Description: Beachside Village Sec 4 (2016) ABST 121, Lot 431, Acres 0.3567
Lot Applicant: Samuel & Rhona Dowdy c/o Debbie Reinhart
Case Number: 19BF-069
GLO ID No.: BDCOG-19-0328a

Dear Ms. Greb:

The General Land Office (GLO) has reviewed the amended application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes an amendment to the original proposal to construct a single-family residence with a paver driveway to now relocate the construction further seaward. The proposed construction is located within 200 feet landward of the line of vegetation and 25 feet landward of the north toe of the dune complex. According to the Bureau of Economic Geology, the area is eroding at a rate of ten to eleven feet per year.

Based on the information provided to our office for review, we have the following comments:

- The applicant proposes an amendment to the original permit application to move the proposed single-family residence further seaward, which is prohibited. The proposed construction is not located as far landward as practicable. The City must require the applicant to locate the construction as far landward as practicable.¹
- In the area seaward of 25 feet from the north toe of the dune, paving or altering the ground in any manner, which includes mowing, grading, filling, fertilizing, or the use of fibercrete and crushed rock, is prohibited.²
- The proposed perimeter fence partly encroaches within the City of Galveston Dune Conservation Area, which is identified as the area from the line of vegetation to 25 feet landward of the north

¹ City of Galveston Erosion Response Plan § 5 & 31 Tex. Admin. Code § 15.6(b).

² City of Galveston Erosion Response Plan § 5 & City of Galveston Erosion Response Plan § 7.2.

toe of the dune.³ Construction within this region is prohibited without an exemption. The City must approve the applicant's determination that there is no practicable alternative to construction within the Dune Conservation Area and that the proposed construction avoids and minimizes adverse impacts to dunes and dune vegetation to qualify for an exemption.⁴ In this instance, practicable means available and capable of being done after taking into consideration existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.⁵

- The application indicates that a 20-foot by 15-foot building will be constructed on site in the future but is not proposed in this application. The applicant may not construct this structure until a beachfront construction certificate and dune protection permit has been obtained from the City of Galveston to do so.
- Paving used under the habitable structure and for driveways connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in four-foot by four-foot sections, four-inches thick with sections separated by expansion joints or pervious material.⁶ A habitable structure is defined as a structure used or usable for habitation.⁷ The area beneath uncovered decks or stairs may not be paved.
- The driveway must be limited to the linear width of the primary structure, along the main street, and a minimum of 15% of the front yard must be maintained as open/unimproved area.⁸
- The use of permeable materials such as brick, pavers, limestone, or gravel is recommended for drives or parking areas.⁹
- The applicant proposes to construct an enclosure beneath the habitable structure. The City may only permit the applicant to construct an enclosure beneath the habitable structure if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.¹⁰
- The City must ensure the proposed construction is consistent with at least the minimum FEMA requirements or with the FEMA approved local ordinance.¹¹
- The City must ensure the proposed habitable structure is designed for feasible relocation.¹²
- The proposed construction activities must not result in the potential for increased flood damage to the proposed construction site or adjacent property, result in runoff or drainage patterns that

³ City of Galveston Erosion Response Plan § 4.

⁴ City of Galveston Erosion Response Plan § 4.1.

⁵ City of Galveston Erosion Response Plan § 4.2.

⁶ City of Galveston Erosion Response Plan § 4.

⁷ City of Galveston Beach Access Plan § 29-54.

⁸ City of Galveston Erosion Response Plan § 5.

⁹ 31 Tex. Admin. Code § 15.5(b)(3).

¹⁰ 31 Tex. Admin. Code § 15.6(f)(4).

¹¹ 31 Tex. Admin. Code § 15.6(e)(3).

¹² 31 Tex. Admin. Code § 15.6(f)(2).

aggravate erosion, cause significant changes to dune hydrology, adversely affect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.¹³

- The City shall not issue a certificate or permit authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.¹⁴

Please be advised that the line of vegetation is dynamic. Structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of the line of mean high tide will periodically be reassessed on a case-by-case basis, and owners may be allowed to make certain repairs under the Beach/Dune rules and local government plans.

If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned lands. Repairs are prohibited and the state may take action to remove the structure.¹⁵

If you have any questions, please contact me at (512) 463-5232 or at michelle.culver@glo.texas.gov.

Sincerely,



Michelle Culver
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

cc: Dustin Henry, Coastal Resources Manager

¹³ 31 Tex. Admin. Code § 15.4(d).

¹⁴ 31 Tex. Admin. Code § 15.6(g).



19P-070

STAFF REPORT

ADDRESS:

Adjacent to 121 Island Passage

LEGAL DESCRIPTION:

Adjacent property is legally described as Lot 253, Evia Phase Two (2007), a subdivision, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Al Fichera, Fichera Builders

ADJACENT PROPERTY OWNER:

Robert Cianfrini

ZONING:

Traditional Neighborhood (TN)

REQUEST:

License to Use

APPLICABLE ZONING LAND USE

REGULATIONS:

Section 32-5 of the City Code of Ordinances

STAFF RECOMMENDATION:

Approval

EXHIBITS:

- A – Applicant’s Survey
- B – Photos of the low wall

STAFF:

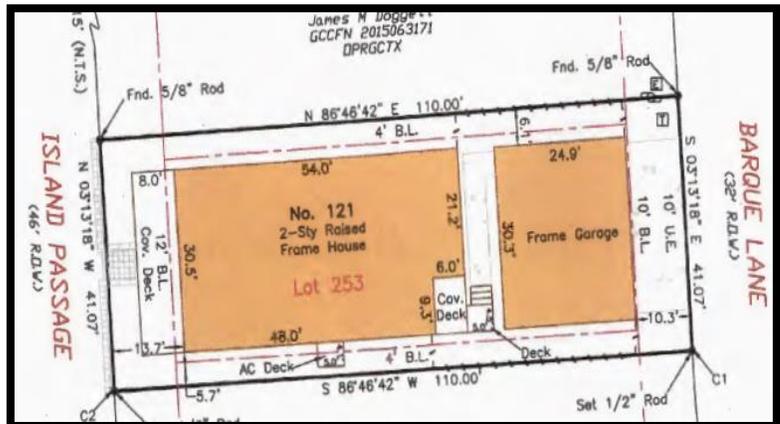
Janice Norman, Planning Manager
 409-797-3670
 jnorman@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
12				

Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

City Department Notification: No Objections



Background When the contractor submitted the building permit application, the site plan did not indicate any encroachments. The encroachment occurred during construction and was discovered when a request for a Certificate of Occupancy was submitted showing the encroachment on the final survey.

Executive Summary The applicant is requesting a license to use the city right-of-way in order to retain the low landscaping wall that was constructed in the right of way. The applicant stated he followed the existing pattern of the landscaping walls surrounding his property and constructed his to be in line with the existing landscape walls. This structure is located in the Evia subdivision and is zoned Traditional Neighborhood (TN), which allows for more lenient setbacks of 0-feet to the property line in the front yard. There are several approved variances for smaller side setbacks as well.

Zoning and Land Use	Location	Zoning	Land Use
	Subject Site	Traditional Neighborhood (TN)	Residential
	North	Traditional Neighborhood (TN)	Residential
	South	Traditional Neighborhood (TN)	Residential
	East	Traditional Neighborhood (TN)	Residential
	West	Traditional Neighborhood (TN)	Residential

Site Details The surrounding properties are residential, single-family structures. Evia has a pattern of items such as stairs, planters and low landscape walls that have been built into the right of way. This wall was constructed to be in line with the neighboring low walls.

Impact on Transportation System The right of way is approximately 10-feet in width. The sidewalk is approximately five-feet in width. The low wall is approximately 12-inches into the right of way. The remaining sidewalk is approximately four-feet.

Impact on Public Utilities and Services There were no objections from any Public or Private utilities.

Staff Recommendation Staff recommends Case 19P-070, request regarding a Permanent License to Use the City right-of-Way for stairs, be approved with the following conditions:

Specific to Case 19P-070:

1. The applicant shall be responsible for any damage to the right-of-way area caused by the installation and maintenance of the stairs and should the right-of-way be damaged in any way, the applicant shall repair the area;
2. The applicant shall adhere to the survey in Exhibit A for the placement of the stairs;

Standard LTU conditions

3. The Licensee shall adhere to all comments/conditions received from City departments and/or private utility companies. Should conformance with the comments/conditions require alterations to the project, as approved, the case must be returned to the Planning Commission for additional review and approval. Failure to comply with all comments/conditions may result in penalties and/or revocation of this permit;
4. The Licensee shall be responsible for repairing any damage to the right-of-way area

- caused by the installation and maintenance of the requested items. Such repairs shall be made promptly and in conjunction with applicable City departments;
5. The cleaning of the debris from the site shall be the responsibility of the Licensee;
 6. The Licensee and all of the Licensee's rights granted are conditioned that owners of utility facilities, whether publicly or privately owned, have at all times access to the property made subject of the License, together with the right to enter the property and excavate for the purpose of repairing, replacing, locating and maintaining such utility facilities, if any;
 7. The Licensee shall execute the License to Use Agreement within 90-days from the date the Planning Commission approved the License to Use, otherwise the Agreement shall be of no further effect and shall be considered as having been canceled fully;
 8. **LICENSEE UNDERTAKES AND PROMISES TO HOLD THE CITY OF GALVESTON HARMLESS AND TO INDEMNIFY AND DEFEND IT AGAINST ALL SUITS JUDGMENTS, COSTS, EXPENSES AND DAMAGES THAT MAY ARISE OR GROW OUT OF THE USE OR GRANT OF THE LICENSE TO USE CITY RIGHT-OF-WAY UNDER THIS AGREEMENT REGARDLESS OF FAULT;**
 9. The City does retain the right and option to cancel the License and terminate all rights of the License upon ninety (90) days written notice of such cancellation and termination, sent to Licensee at the mailing address provided herein; and, Licensee agrees and shall be obligated to vacate the property made subject of the license and to remove all improvements and/or obstruction located thereon at Licensee's own expense prior to the expiration of said 90-day notification period; and
 10. Annual renewal permit fees shall be ten dollars (\$10.00) for the first ten (10) linear feet or fraction thereof plus one dollar (\$1.00) for each additional linear foot or fraction thereof. Any renewal fee less than fifty dollars (\$50.00) shall be automatically waived, by the director of planning. The licensee for a permit or extension of a permit shall not be entitled to a refund of any portion of the permit fees in the event the permit application or application for extension is rejected, or in the event the permit is revoked. This section shall not apply to renewal fees for canopies and tree sculptures.

Respectfully Submitted,



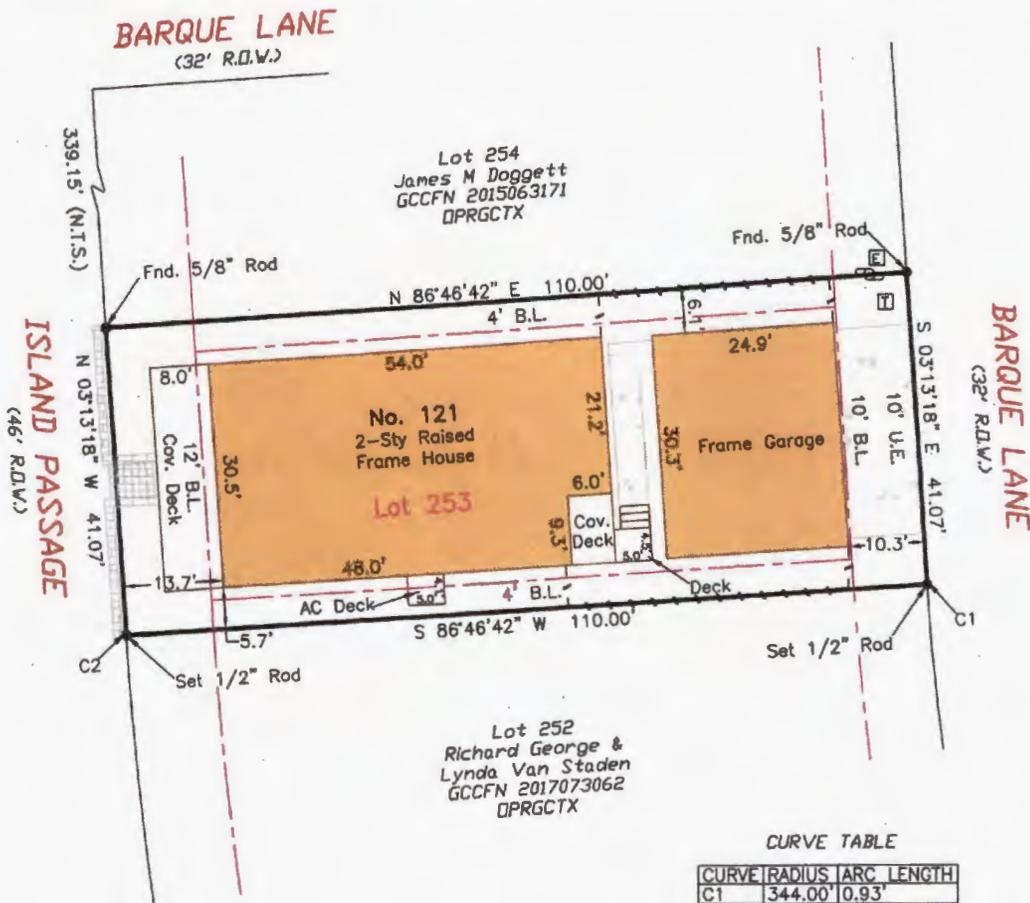
Janice Norman, Planning Manager

1/24/20
Date



Catherine Gorman, Assistant Director, AICP, HPO
Development Services

1/24/20
Date



CURVE TABLE

CURVE	RADIUS	ARC LENGTH
C1	344.00'	0.93'
C2	454.00'	0.93'

Survey of Lot Two Hundred Fifty-Three (253) of EVIA PHASE TWO (2), SECTIONS ONE AND TWO, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Plat Recod 2006A, Map No. 51, in the Office of the County Clerk of Galveston County, Texas.

I hereby certify that on the below date, the herein described property, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

Brene Addison
Brene Addison
Registered Professional
Land Surveyor No. 6598



- NOTES:
- 1) This property is subject to the building and zoning ordinances of the City of Galveston.
 - 2) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
 - 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA and/or the local power company.
 - 4) Bearings are based on the monumentation of the East right-of-way line of Island Passage.

Surveyed without the benefit of a title commitment. This property may be subject to matters of record not shown hereon that might be revealed by title report or title commitment.

- Legend:
- [T] Telephone Box
 - [E] Electrical Box
 - [M] Meter Pole
 - B.L. Building Setback Line
 - U.E. Utility Easement
 - Building Line
 - Easement Line
 - Concrete
 - Brick
 - - - - - Wood Fence

TRICON LAND SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Galveston, TX 77551
408-497-2772
TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309

Drafting: JF Survey Date: December 06, 2019
Surveyed for: Al Fichera





Done

83 of 86





20P-001

STAFF REPORT

ADDRESS:

Adjacent to 2028 Postoffice / Avenue E

LEGAL DESCRIPTION:

Adjacent property is legally described as M.B. Menard Survey, South Half of Lot 14 (14-3) Block 500, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Amy Owens

ADJACENT PROPERTY OWNER:

Francisco Vargas

EASEMENT OWNER:

City of Galveston

REQUEST:

License to Use

APPLICABLE REGULATIONS:

Section 13.202 of the LDR
 Chapter 32-5 of the City Code of Ordinances

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

- A – Site Plan and Vicinity Map
- B – Photographs

STAFF:

Daniel Lunsford, Planner
 City of Galveston
 (409) 797-3659
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
27				

City Department Notification Responses:

No Objections.



Executive Summary

The applicant is requesting a License to Use in order to place a sea turtle statue in the City of Galveston sidewalk right of way. Mr. Francisco Vargas is sponsoring a turtle statue from Turtles About Town and would like to place the turtle next to his property at 2028 Postoffice / Avenue E.

Executive Summary Cont. The turtle statue is proposed in an unused tree well in the right of way adjacent to the applicant's business and no less than twelve (12) inches from the curb. This will allow approximately seventeen (17) feet of clearance between the statue and the building as shown in the attached site plan, Attachment A. The turtle statue weighs 80 pounds and is 65 inches high, 55 inches wide (flipper extension) and 36 inches in diameter.

Physical Characteristics The adjacent right of way is just south of the applicant's property on the northeast corner of Postoffice / Avenue E and 21st Street. The sidewalk is wider than usual here due to the pedestrian curb extensions at the intersection (see photo, Attachment B). Two palm planters and a statue are located in this area, and the turtle statue will be placed in the unused planter to the east.

License to Use A License to Use (LTU) is required prior to placing items within or otherwise obstructing City rights-of-way in accordance with Chapter 32-5 of the City Code of Ordinances.

Other Reviews The property is not located inside a designated Historic District so no additional reviews are required. The Planning Commission has the final decision authority for LTU requests. However, should the applicant be aggrieved by the Planning Commission's decision, an appeal may be made to City Council.

Staff Recommendation Staff is recommending approval with the following conditions:

Specific Conditions:

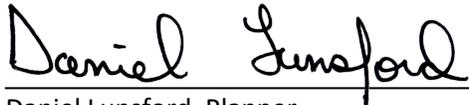
1. The applicant shall adhere to the site plan in Attachment A for the placement of the turtle statue with the following modifications:
 - a) The turtle statue shall be adequately secured to the ground so as not to pose a threat in a storm event;
 - b) The turtle statue shall be placed far enough from the curb to provide adequate space for automobile parking adjacent to the curb extension (12" minimum behind curb);
 - c) The turtle statue shall be placed so as to provide at least five (5) feet of clear pedestrian path between the statue and the adjacent buildings;
2. The city reserves the right to require the licensee remove the turtle statue if found to be deteriorated, vandalized, or a threat to public safety;
3. The applicant shall be responsible for any damage to the right-of-way area caused by the installation and maintenance of the turtle statue, and should the right-of-way be damaged in any way, the applicant shall repair the area;

Standard Conditions:

4. The Licensee shall adhere to all comments/conditions received from City departments and shall obtain all required permits, construction documents, and inspections. Should conformance with the comments/conditions require alterations to the project, as approved, the case must be returned to the Planning Commission for additional review and approval. Failure to comply with all comments/conditions may result in penalties and/or revocation of this permit;
5. The cleaning of the debris from the site shall be the responsibility of the Licensee;
6. The Licensee and all of the Licensee's rights granted are conditioned that owners of utility facilities, whether publicly or privately owned, have at all times access to the property made subject of the License, together with the right to enter the property and excavate for the purpose of repairing, replacing, locating and maintaining such utility facilities, if any;

7. The Licensee shall execute the License to Use Agreement within 90-days from the date the Planning Commission approved the License to Use, otherwise the Agreement shall be of no further effect and shall be considered as having been canceled fully;
8. Licensee undertakes and promises to hold the City of Galveston harmless and to indemnify and defend it against all suits judgments, costs, expenses and damages that may arise or grow out of the use or grant of the license to use city right-of-way under this agreement regardless of fault;
9. The City does retain the right and option to cancel the License and terminate all rights of the License upon ninety (90) days written notice of such cancellation and termination, sent to Licensee at the mailing address provided herein; and, Licensee agrees and shall be obligated to vacate the property made subject of the license and to remove all improvements and/or obstruction located thereon at Licensee's own expense prior to the expiration of said 90-day notification period

Respectfully Submitted,



Daniel Lunsford, Planner

January 23, 2020

Date

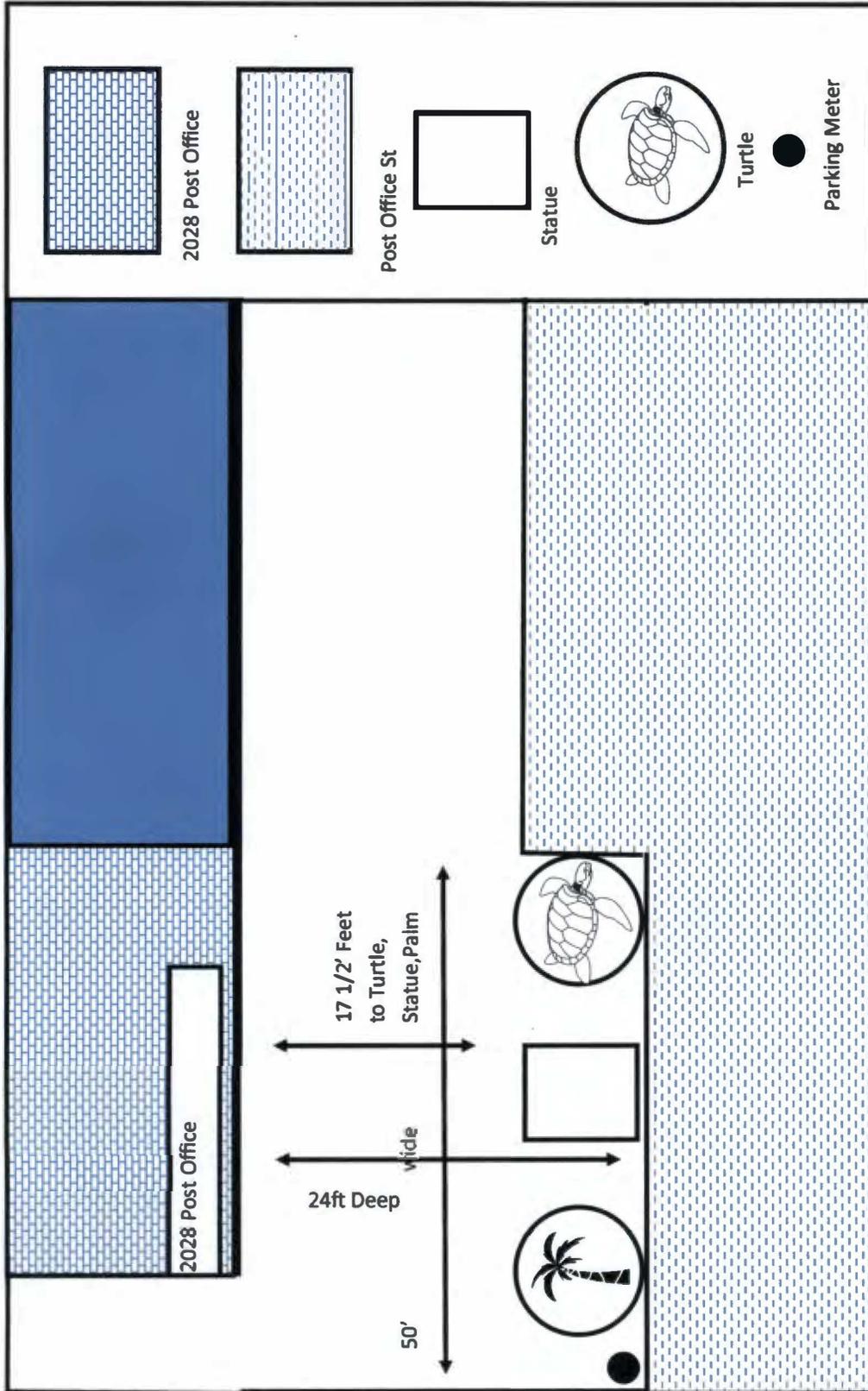


Catherine Gorman, Assistant Director, AICP,
HPO

January 23, 2020

Date

Rudy & Paco
2028 Post Office St
Galveston, TX





2028 Postoffice



Right of Way Looking West



Right of Way Looking East



20P-002

STAFF REPORT

ADDRESS:

12212 San Luis Pass

LEGAL DESCRIPTION:

Property is legally described as the West 311.7 Feet of Lot 1, Resort Subdivision, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Brax Easterwood, AIA

PROPERTY OWNER:

Prida Construction LTD., Miguel Prida

ZONING:

Commercial, Height and Density Development Zone, Zone-6 (C-HDDZ-6)

REQUEST:

Planned Unit Development (PUD)

APPLICABLE ZONING LAND USE REGULATIONS:

Article 4 of the Land Development Regulations (LDR)

STAFF RECOMMENDATION:

Approval with conditions

EXHIBITS:

- A – Zoning Map
- B – Narrative/ PUD Plan
- C – Site Plan/PUD Plan

STAFF:

Janice Norman, Planning Manager, CFM
 409-797-3670

jnorman@galvestontx.gov

City Department Notification Responses:

No objections

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
7				

Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.



Executive Summary

This request is to establish a Planned Unit Development (PUD) Overlay District in a Commercial, Height and Density Development Zone, Zone-6 (C-HDDZ-6) base zoning district to allow a new ten-story apartment development to be constructed. The apartment complex is considered a “Multi-Family” land use and is permitted by right in the Commercial (C) zoning district. The deviations are from the Height and Density Development Zone, Zone-6 overlay.

The deviations are as follows:

1. The lot area from 87,120 square feet, 2-acres to 61,185, square-feet, 1.41-acres.
2. Wall Plane Articulation on the south, east and west sides. (The north or rear side is not required).
3. Transition Zone front setbacks 1a and 1b from 70-feet to 29.4-feet.
4. Height from 9 stories and 105 –feet to 10 stories and 118-feet (measured from grade).
5. Community Benefit. This is to increase Floor Area Ratio and Height
6. Percent at Build to line.

Site Details

The subject site is adjacent to Commercial, Height and Density Development Zone, Zone-6 (C-HDDZ-6) zoning on the east, west and north sides and to the south across San Luis Pass Road is the Hershey Beach subdivision zoned Residential, Single Family, Height and Density Zone, Zone-6 (R-1-HDDZ-6). The subject property is located within 1000-feet of the Mean High Tide and will require a Beachfront Construction/ Dune Protection permit prior to the submittal of a building permit application.

Compatibility with Base and Surrounding Zoning and Land Uses

This development is compatible with the surrounding Commercial properties. The adjacent properties are not only zoned Commercial they are also used for various commercial land uses such as building supply sales and storage, contractor offices, self-storage and a variety of other commercial uses.

The Hershey Beach subdivision is south of this property and is zoned Residential, Single-Family, Height and Density Development Zone, Zone-6 (R-1-HDDZ-6). The new development will be a little more than 200-feet from the single-family residential subdivision across San Luis Pass Road, which provides space to buffer any impacts the new development may have on the area. Additionally, The Rivera and the Holiday Inn, across San Luis Pass to the west of Hershey Beach, provide an example of how multi-story developments can merge with the surrounding single-family subdivisions in the area. Staff finds the proposed development to be compatible with the surrounding residential land uses.

Ability of the Property to be used under Current Zoning

The Planned Unit Development (PUD) Overlay District is a special overlay zone that allows flexibility in development standards that are approved for specific uses on a specific site. Any deviations from the standards established in the Land Development Regulations must be incorporated into a PUD plan and an ordinance amending the zoning.

The land use “Multi-Family” is an outright permitted land use in the Commercial (C) zoning district. The PUD request is to deviate from the Height and Density Development Zone, Zone -6, design criteria.

The Height and Density Development Zone, Zone- 6 (HDDZ-6) is an overlay zone that provides design criteria for development in key areas of the city. The Height Density Development Zone extends from Beach Drive on the east end of the island to 11 Mile Road on the west end. There are different character areas that require different design criteria. This Development is in the Seawall West to 11 Mile Road character area.

**PUD Details
/Development Plan**

<p>The purpose or intent of the PUD</p>	<p>The purpose of the Planned Unit Development is to develop a 10-story, 118-feet tall apartment complex. The property is in the Height and Density Development Zone, Zone-6, overlay district. The PUD will allow the developer to deviate from some of the Height and Density Zone- 6, standards. Please reference the list below:</p> <ol style="list-style-type: none"> 1. The lot area from 87,120 to 61,185 square-feet 2. Wall Plane Articulation on the south, east and west sides. (The north or rear side is not required.) 3. Transition Zone front setback of 70-feet reduced to 29.4-feet 4. Height from nine stories and 105–feet to 10 stories and 118-feet. 5. Community Benefit. (This is required to gain height or floor area ration). 6. Percent at Build to line.
<p>PUD Land Uses</p>	<p>The land use is “Multi-Family”, which is an outright permitted land use in the Commercial (C) zoning district.</p> <p><i>Please reference paragraph 2 of Exhibit: C- Narrative.</i></p>
<p>Density</p>	<ul style="list-style-type: none"> • The total density on the lot with all structures is 11%. • The footprint of the structure and deck area are 5,744 square-feet. • The total square-footage of the 10-story structure is 46,472 square-feet (including all floors and two-story deck). • The Floor area ratio is 1.3 (this conforms to the Height and Density requirements of 1.5 maximum). • The total lot area of the lot is 61,185 square-feet. The total lot coverage with the parking area is 50 %. (This conforms to the Height and Density Development Zone requirement of 50% maximum). <p><i>Please reference SD 0.1 and page 2, Exhibit: C – Narrative.</i></p>
<p>Building Height</p>	<p>The building height is proposed to be 118-feet and 10-stories. The height measurement is taken from grade.</p> <p><i>Please reference SD 1.5 Elevation.</i></p>
<p>Building Setbacks</p>	<p>The applicant is deviating from the Height and Density Development Zone, Zone-6 front transition zone setback for 1a and 1b requirement of a total of 70-feet. The transition zone setback limits how high a structure can be from an adjacent residential property line. All other setbacks comply.</p> <p>The proposed setbacks are: Front setback: 29.4-feet</p>

	<p>Side setback: 49.2-feet Rear setback: 75.2-feet</p> <p><i>Please reference SD 1.0</i></p>
Limits of Construction	<p>The proposed construction includes:</p> <ul style="list-style-type: none"> • A 118-foot tall, 10 story, 24-unit apartment complex. • Parking area with parking under the structure and outside the footprint of the structure with 42 total parking spaces. • Landscaping will be installed on the entire site. • A deck with a pool and a fitness center under the pool. • The top floor will be used as offices. • The apartments will have one, two and three bedroom units. • Water harvesting tanks. • Low-Intensity Lighting. <p><i>Please reference Exhibit: B- PUD Plan and page 2, Exhibit: C - Narrative.</i></p>
Building Elevations	<p>The applicant is deviating from wall plane articulation. The building elevations on the north and south show the structure with balconies and openings that do provide visual interest without traditional wall plane articulation. The east and west sides have window openings and show a partial view of the balconies.</p> <p>The structure is located in a VE (16) flood zone. The new development will meet all FEMA elevation requirements and City free board requirements. <i>Please reference SD 1.5 and SD 1.6 and page 2, Exhibit: C – Narrative.</i></p>
Vehicular Parking	<p>There are 42 parking spaces provided on site. The Land Development Regulations require 1.5 parking spaces per unit. With 24-apartment units, only 36 parking spaces are required. The parking complies with the Land Development Regulations. <i>Please reference SD 1.1 and page 2, Exhibit: C – Narrative.</i></p>
Pedestrian Access	<p>According to the narrative, the design of the site provides pedestrian access at the front through a gate. However, staff proposes that the developer create a pedestrian access plan to the nearest beach access point for the residents of the complex. The plan could include signage-directing pedestrians to the beach access path, a sidewalk and possibly a pedestrian crossing over San Luis Pass Road to ensure crossing safety. <i>Please reference SD 1.9 page 2, Exhibit: C – Narrative.</i></p>
Streets and Circulation	<p>The existing curb cut on San Luis Pass Road will be utilized as the entrance and exit for the development. The plan includes a clear onsite traffic circulation plan. <i>Please reference SD 1.1 and page 2, Exhibit: C - Narrative.</i></p>

Screening and Landscape	The applicant has proposed native and adapted landscape species, and drought tolerant turf grass. The project will use water harvesting to provide all of the landscape irrigation. <i>Please reference SD 1.0 and page 2, Exhibit: C – Narrative.</i>
Environmental protection	The property is within 1000-feet of the mean high tide and will require review by the Texas General Land Office before submitting for a building permit. The applicant is proposing to follow stormwater pollution prevention practices during the construction phase. The project will include sustainable materials, green building design practices, solar panel carport covers, and water catchment tanks. These practices help reduce energy cost, enhance energy efficiency and help conserve environmental resources. <i>Please reference SD 1.0 and page 2, Exhibit: C-Narrative.</i>
Signage	A wall sign that complies with the City of Galveston regulations is proposed on the entrance wall. <i>Please reference page 2, Exhibit: C- Narrative.</i>
Lighting	Minimal, low-intensity lighting with be full cutoff exterior fixtures, for both building and site/parking lighting standards. Additionally, the Project has been designed to conform to the Audubon Bird Safe Building Guidelines. A photometric plan will be required at the time of building permit submittal. Staff will ensure the lighting meets the City of Galveston lighting ordinance. <i>Please reference page 2, Exhibit: C- Narrative.</i>
Phasing or Scheduling	The project will be completed in a single phase after permitting. It is anticipated that the project construction will commence in the fall of 2020. <i>Please reference page 3, Exhibit: C- Narrative.</i>
Unique characteristics or exceptional circumstances	Adjacent Commercial zoning and uses provide lower lifestyle impact versus residential development. The residential development is more than 200-feet from this development. A taller, compact footprint for a mid-size apartment complex allows for greater efficiency and lower environmental impact. <i>Please reference page 3 of Exhibit: C- Narrative.</i>

Criteria for Approval

According to Division 13.601 (C) of the Land Development Regulations, the Planning Commission may recommend approval, and City Council may grant the approval of a rezoning request if it is demonstrated that:

1. The proposed zoning is preferable to the existing zoning in terms of its likelihood of advancing the goals, objectives, and policies of the City of Galveston 2011 Comprehensive Plan and other adopted neighborhood plans, special area plans, redevelopment plans, or other plans applicable to the area;
 - a. HN-4. Encourage the Development of Housing suited to the unique character of Galveston Island, Outside the Urban Core: New housing development on the West End should be permitted where the City has the ability to provide

for public safety and property protection for residents, and when the development is consistent with the protection of dunes, wetlands and scenic open space.

b. HN-1. Expand the supply of middle-income housing: Because the area protected behind the Seawall is largely “built-out,” opportunities for new middle-income housing exist in the form of infill within established residential areas and redevelopment of underutilized properties. Outside of the Urban Core, new housing development should occur in unique planned developments, which retain open space and scenic natural resources, while accommodating a diversity of housing needs.

2. The proposed zoning is consistent with the future land use map of the City of Galveston 2011 Comprehensive Plan (a future land use map amendment may be processed concurrently with the rezoning);

a. The proposed change will not change the base zoning of Commercial (C).

3. The proposed change is consistent with the implementation of existing or pending plans for providing streets, water and wastewater, other utilities, and the delivery of public services to the area in which the parcel proposed for rezoning is located;

a. There are existing utilities along 10 Mile Road and San Luis Pass Road. The new development will be connecting to the existing utilities. During the permitting process, the Public Works Division will review the new development’s connections for capacity.

4. The range of uses and the character of development that is allowed by the proposed zone will be compatible with the properties in the immediate vicinity of the parcel proposed for rezoning, and the parcel proposed for rezoning has sufficient dimensions to accommodate reasonable development that complies with the requirements of these Regulations including parking and buffering requirements; and

a. The development is located in a Commercial (C) base zoning district and is surrounded by commercial uses and zoning. The properties across San Luis Pass Road are residential zoning and uses. The new development is approximately 200-feet to the north of the residential properties, which provides for reasonable buffering.

5. The pace of development and/or the amount of vacant land currently zoned for comparable development in the vicinity suggests a need for the proposed rezoning in order to ensure an appropriate inventory of land to maintain a competitive land market that promotes economic development.

a. As seen in Criteria for Approval number one above, there are underutilized properties on the west end that could be used for middle-income housing that provide an alternative to single family homes. This development provides an alternate for living on the west end of Galveston for those who want to lease. Some of the other multi-family complexes on the west end are condominiums that can be used for short-term rentals, which doesn’t provide many options for long term. This development will be used specifically for long-term leases.

Conformance

Based on the 2011 Comprehensive Plan that encourages the expansion of middle-income housing on the west end of Galveston and the development of housing outside the urban core. This development would be an appropriate addition to the

west end. This development would allow a wide variety and larger inventory of housing on the west end. Staff finds, that a clear beach access plan that includes signage, sidewalks and a clear path to and from the beach access point should be developed and submitted by the applicant. This will ensure safety and keep pedestrians from trespassing across private property while accessing the beach.

The Height and Density Development Zone, Zone-6 has requirements for larger land sizes and design standards that make constructing on some of the smaller west end properties in the Height and Density Development Zone difficult. This is an existing Commercial cluster of properties which is a suitable location for this development.

Staff is also recommending that the construction of the site begin within eight months of the date of approval and be completed no later than 18 months from the date of approval. This is to ensure that the proposed improvements are installed in a timely manner.

Staff Recommendation

Staff recommends Case 20P-002 be approved with the following conditions:

Specific Conditions to 20P-002;

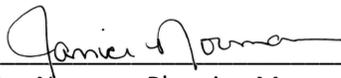
1. Granting of a PUD zoning district shall not relieve the developer from complying with all other applicable sections of the Land Development Regulations (LDR), and other Codes and Ordinances of the City of Galveston, unless such relief is specified in the approved PUD plan and PUD ordinance. Relief provided by this PUD plan includes:
 - a. The lot area of 61,185, square-feet.
 - b. Wall Plane Articulation.
 - c. Transition Zone front setbacks 1a and 1b to 29.4-feet.
 - d. Height to 10 stories and 118-feet.
 - e. Community Benefit.
 - f. Percent at Build to line.
2. The development must conform to the site plan and design details included with the PUD application and ordinance with the following modifications;
 - g. The applicant shall provide a clear beach access plan that includes signage, sidewalks and a clear path to and from the beach access point across San Luis Pass Road;
3. The construction of the project shall begin within eight months from February 27, 2020 the date of approval, and must be completed no later than 18 months (approximately August 2021) from the date of approval. If the project has not begun within eight months or is not completed within 18 months, the City Council will have discretion to extend the time period if sufficient cause is determined;
4. A Beachfront Construction/Dune Protection Permit shall be required prior to the submittal of a Building Permit application. Should substantial changes be required, the PUD plan may require additional review by Planning Commission and City Council;
5. There shall be no nuisance created or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties;

Standard Conditions of a Planned Unit Development (PUD):

6. The applicant shall adhere to all comments/conditions received from City departments;
7. Any change or revisions to the adopted PUD Plan shall require an amendment to the PUD ordinance, which requires review by the Planning Commission and City Council. Minor additions and modifications to the approved PUD plan meeting the criteria set forth in Article 4, Section 4.102 (d)(3) of the Land Development Regulations (LDR) may be approved by the Development Services Department; and,
8. The applicant shall submit for approval all plans to the Development Services Department for compliance with all City codes.

City Council has the final decision regarding this PUD request. Council will hear this request on February 27, 2020.

Respectfully Submitted,

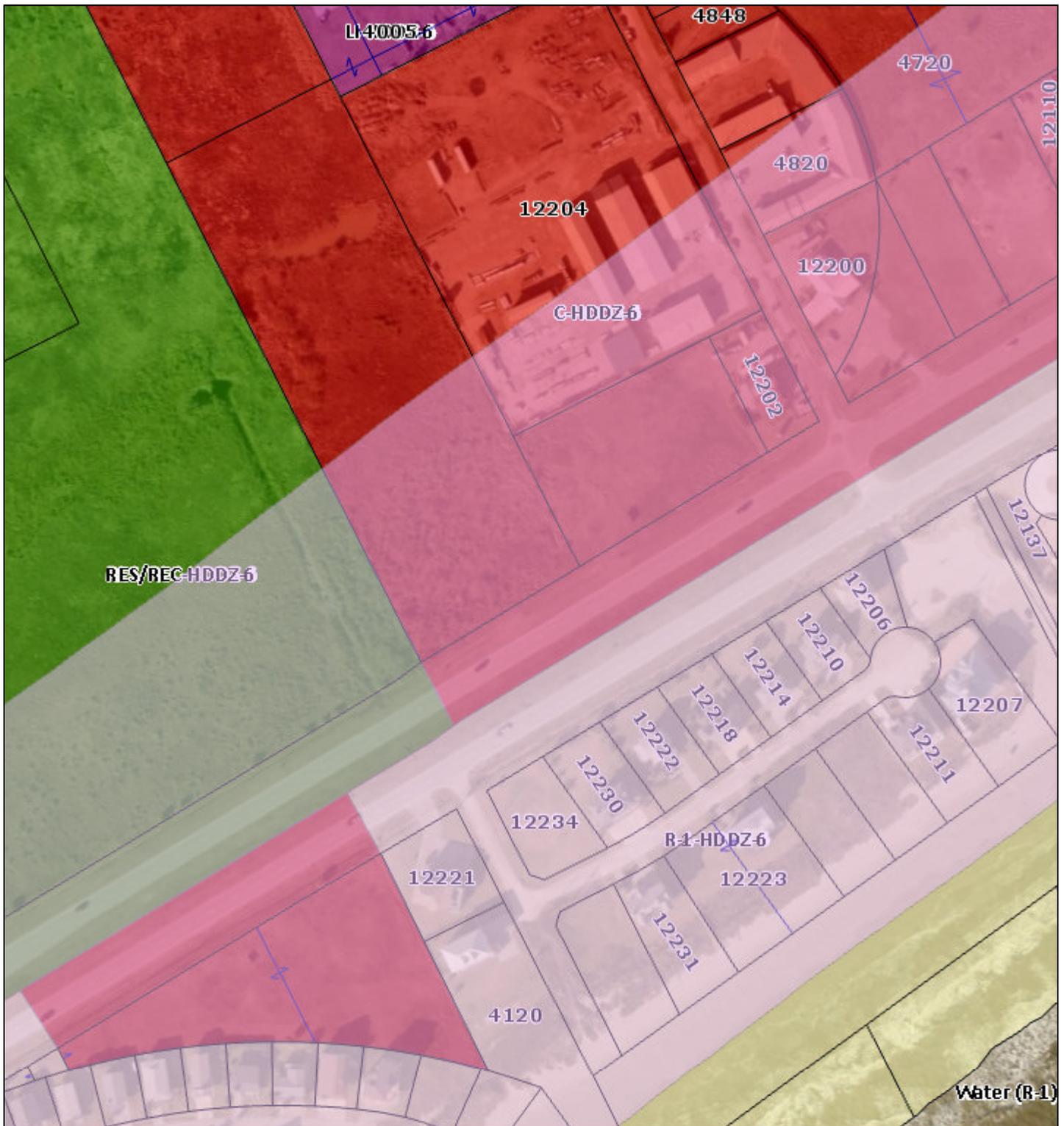


Janice Norman, Planning Manager

1/27/2020
Date

Zoning District Map

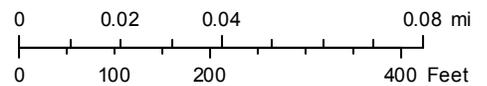
EXHIBIT A



January 27, 2020

1:2,400

Mean High Water 1000Ft Buffer — Lot Lines



-  City of Galveston
-  Not in Jurisdiction
-  Parcels

Galveston Central Appraisal District & Pictometry
Galveston Central Appraisal District
City of Galveston; Atkins North America, Inc.
City of Galveston Development Services: Planning & Development Division

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Planning & Development Division
City of Galveston



January 6, 2020

Tim Tietjens, Director
City of Galveston Department of Development Services

RE: Playa West, 12212 San Luis Pass
Includes: Project Narrative

Dear Mr. Tietjens:

Please accept this letter as a brief narrative of the Project proposed for Mr. Miguel Prida on the West End of Galveston Island. Prida Construction has produced significant numbers of quality housing units in Galveston, including Texas A&M, Ocean Grove Condominiums, and the Waterfront Apartments. We are requesting approval of a Planned Unit Development (PUD) in order for design work to continue, with the expectation to fully realize the plan presented today in 2021.

The property's zoning is Commercial, as are the surrounding parcels. The residential development in the area is across the TxDOT right of way, and the adjacent developments are commercial. The site affords near west end residents a housing alternative product in long term lease apartments. Our PUD request is the best possible tool for moving forward with the Project, designed with the twenty-four units and an office space. Unfortunately, the Height and Density Development Zone guidelines require a minimum lot size of two acres for Projects in the Mid-Rise category. The project site is 1.405 acres. Because the project cannot be approved outright, our PUD request is needed to implement. Primary objectives are to maximize the lifestyle of beachfront living and push to minimize environmental impact. In minimizing the footprint of the building, we are requesting a building of ten stories over parking and base flood elevation, at a height of 118' above grade.

Article 4 of the Land Development Regulations provides some guidelines for the information needed for evaluation. Response to those are listed for you here or in some cases may be seen in the schematic plans and perspectives -

- a. The purpose or intent of the PUD:** To develop the Owner's property with twenty-four long-term apartment rental units in a Commercial zoning district. Units are designed to provide housing for long-term rental. Design motives include a beachfront lifestyle, sustainability, and reflecting the coastal environment. As part of that effort, the benefits of lower environmental impacts are tied to the Project's height and compact footprint.

- b. PUD Land Uses:** Multi-Family Residential. No prohibitions of other uses permitted in the base zoning district (Commercial)
- c. Density:** 24 Units in a site area of 61,185sf
- d. Building Height:** ~118' total height (from grade). The required FEMA elevation plus COG freeboard is 17.5' (from MSL)
- e. Building Setbacks:** None required in Commercial zoning district. Please refer to plan SD 1.0 for setbacks, and to the aerial photographs for context in the area. There are two mid-rise structures within view from the site. (Riviera, Holiday Inn)
- f. Limits of Construction:** Please see Project footprints on site plan SD1.0.
- g. Building Elevations:** Please refer to perspectives and elevations provided for exterior design. Primary structural materials are concrete, masonry, and stucco finish.
- h. Vehicular parking:** Each unit will provide parking for 1.75 cars. The Land Development regulations requirement is 1.5 per unit.
- i. Pedestrian access:** The proposed Project provides resident access through gated entrances at the front of the property, and a beach access point is within easy walking distance.
- j. Streets and circulation:** The existing conditions will remain unchanged with the TxDOT highway of FM 3005 to the South. A single gated entry point will provide access to the property.
- k. Screening and Landscape:** The applicant will utilize only native and adapted landscape species, and drought tolerant turfgrass. The Project will utilize water harvesting from the building roof and some paved areas, which will provide 100% of landscape irrigation. Areas outside the adjacent improved landscape will remain natural
- l. Environmental protection:** No wetlands, or exceptionally sensitive environmental conditions exist on the site. All sites on the West End of Galveston are sensitive and this particular tract is a typical example. Stormwater pollution prevention practices will be followed in the construction phase. Sustainable materials, green building design practices, solar power panel carport covers, and water catchment will all contribute to the Project.
- m. Signage:** A wall sign within COG ordinance limits will be placed at the entry gate wall. Address numerals will indicate location for emergency responders.
- n. Lighting:** Minimal, low-intensity lighting with full cutoff exterior fixtures, for both building and site/parking lighting standards. Additionally, the Project has been designed to conform with the Audubon Bird Safe Building Guidelines.

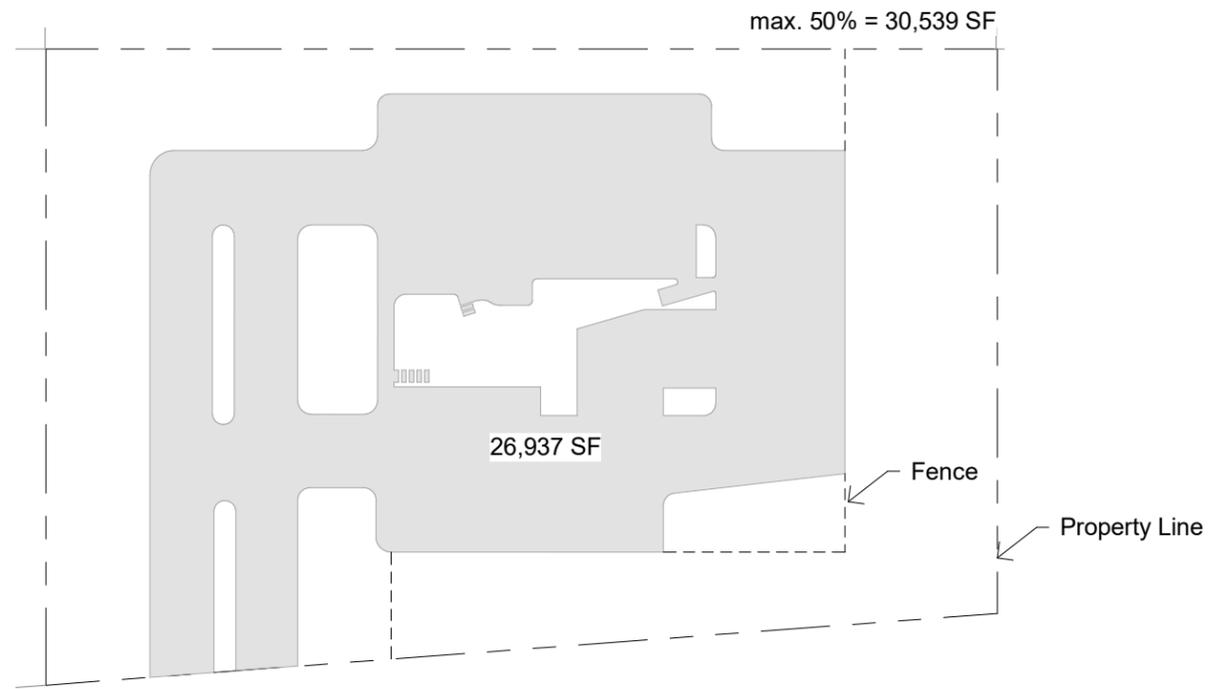


- o. Phasing or Scheduling:** The project will be completed in a single phase after permitting. It is anticipated that the project construction commence in the fall of 2020.
- p. Unique characteristics or exceptional circumstances:** Adjacent Commercial zoning and uses provide lower lifestyle impact versus residential development. A taller, compact footprint for a mid-size apartment complex allows for greater efficiency and lower environmental impact.

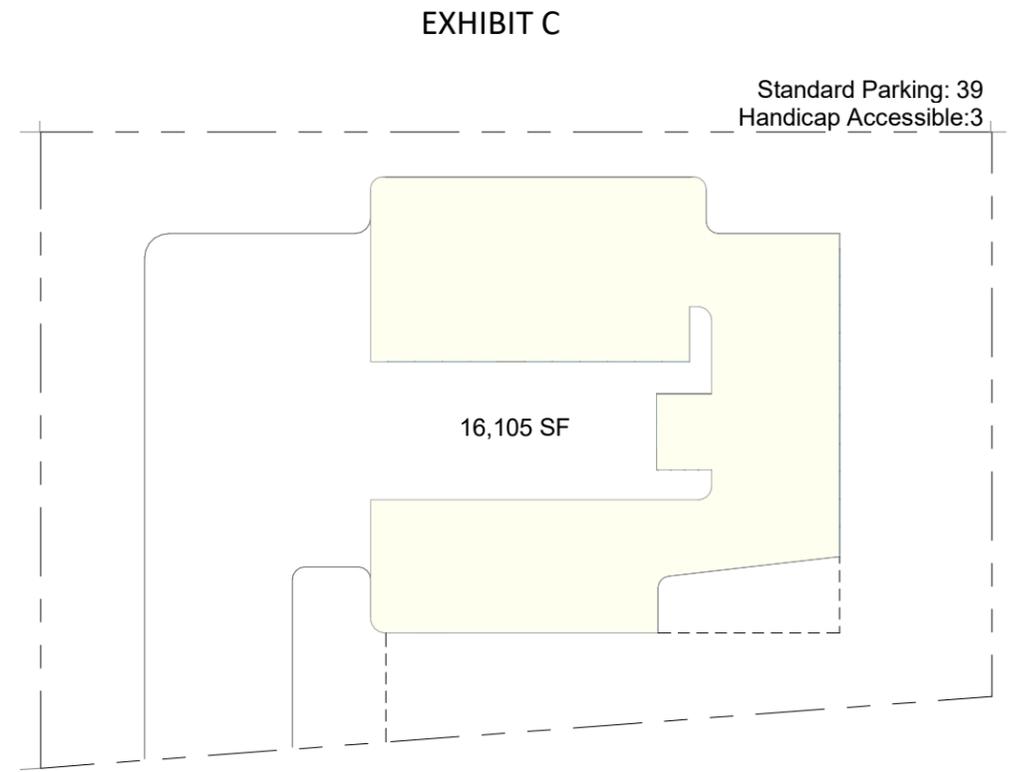
Thank you for your consideration on this project. We feel that it is a great investment in Galveston, and a unique opportunity for housing on the island.

Sincerely,

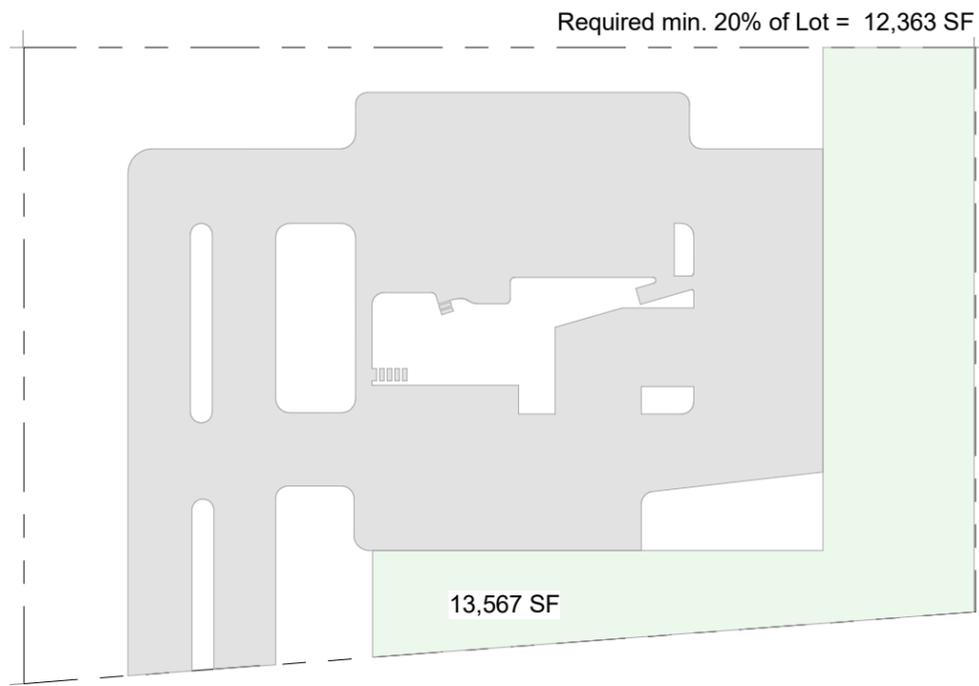
Brax Easterwood AIA, and Miguel Prida, Owner



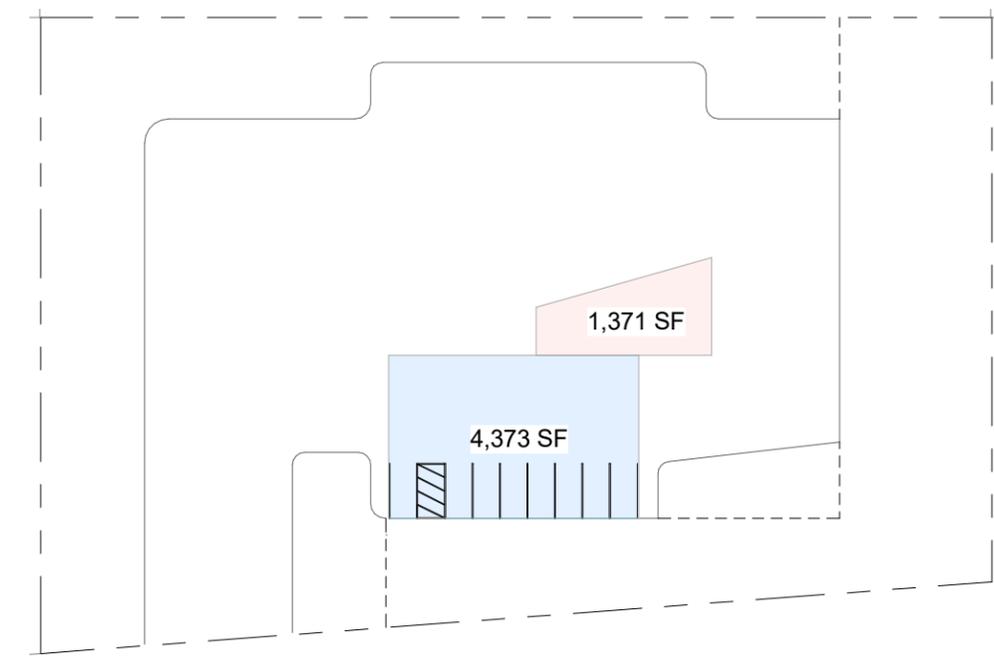
① Lot Coverage
1" = 60'-0"



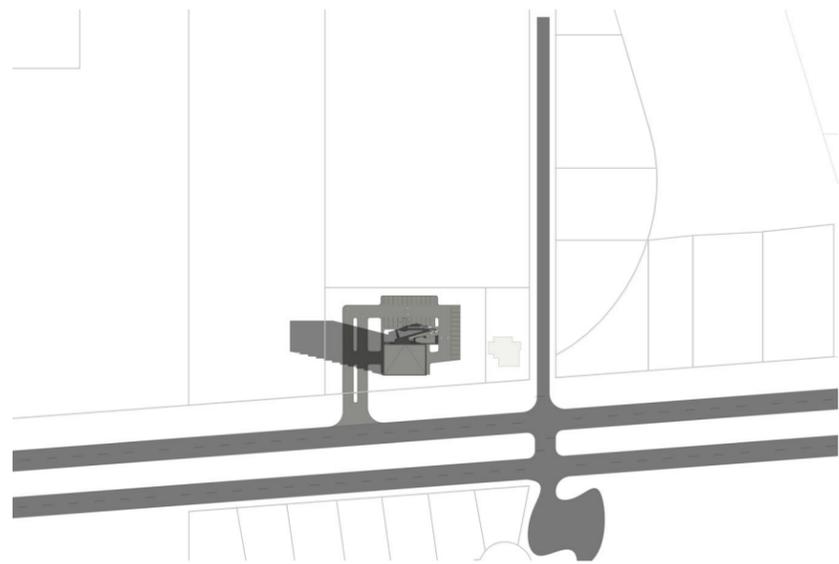
③ Parking Surface
1" = 60'-0"



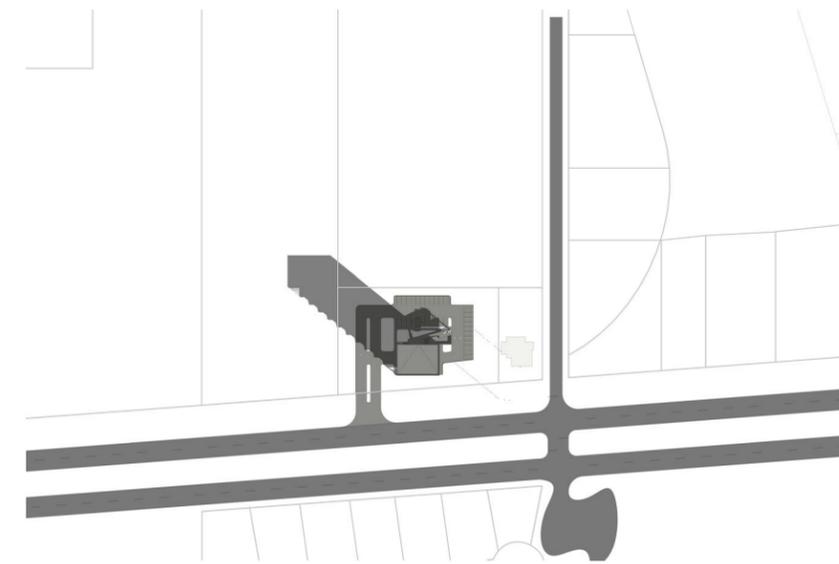
② Improved Public Open Space
1" = 60'-0"



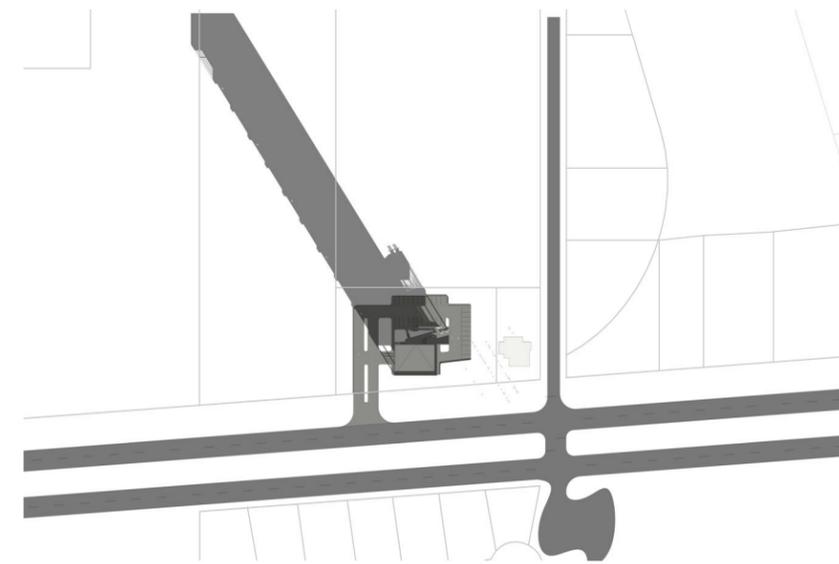
④ Building Footprint
1" = 60'-0"



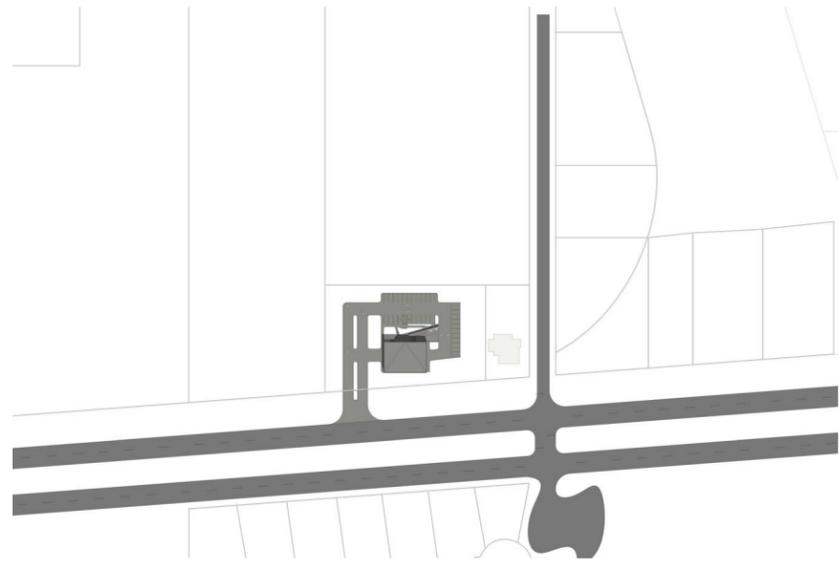
① Summer Solstice- 8am
12" = 1'-0"



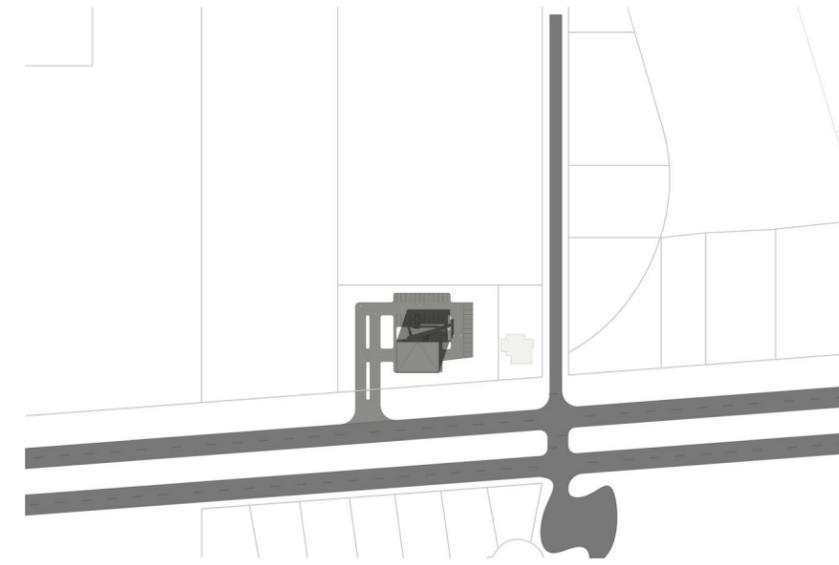
④ Spring/Fall Equinox- 8am
12" = 1'-0"



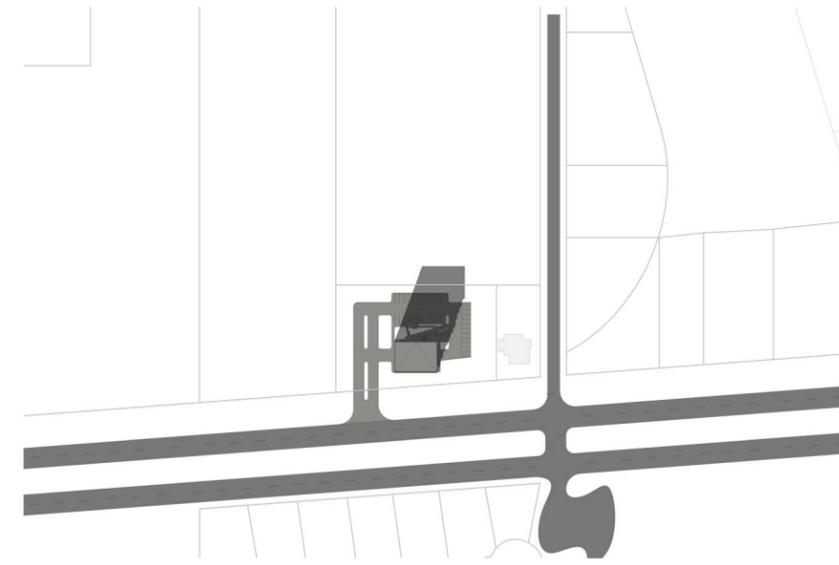
⑦ Winter Solstice- 8am
12" = 1'-0"



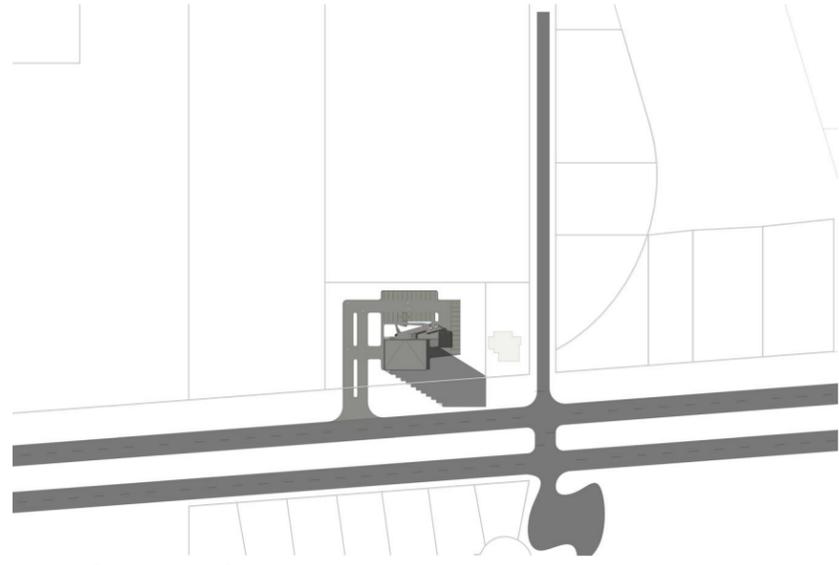
② Summer Solstice- 12pm
12" = 1'-0"



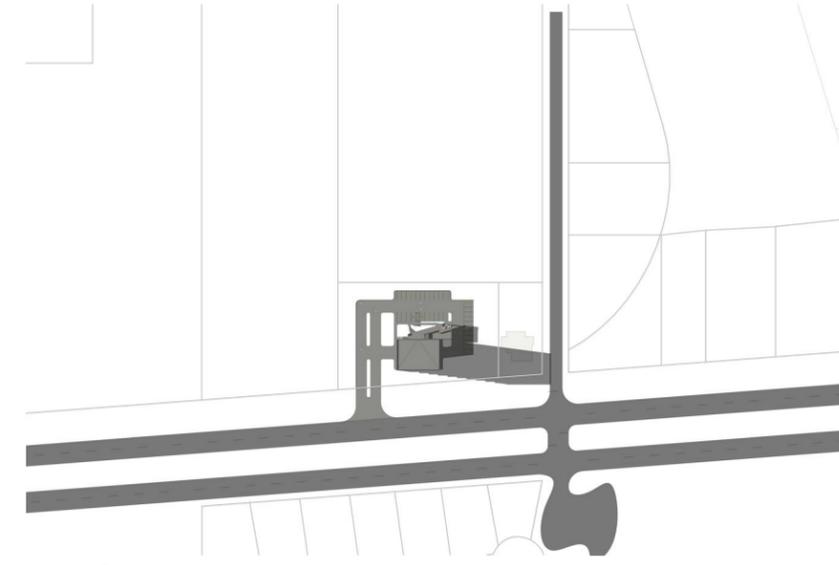
⑤ Spring/Fall Equinox- 12pm
12" = 1'-0"



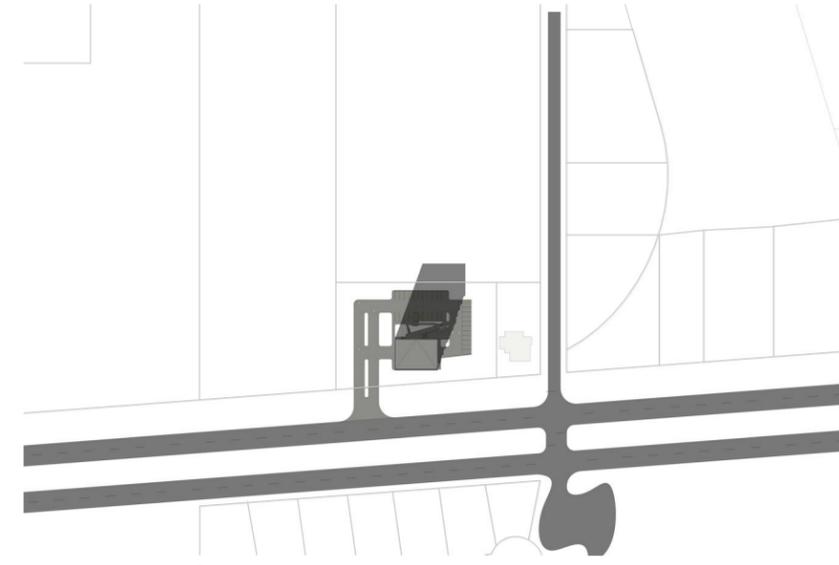
⑧ Winter Solstice- 12pm
12" = 1'-0"



③ Summer Solstice- 4pm
12" = 1'-0"



⑥ Spring/Fall Equinox- 4pm
12" = 1'-0"



⑨ Winter Solstice- 4pm
12" = 1'-0"



South



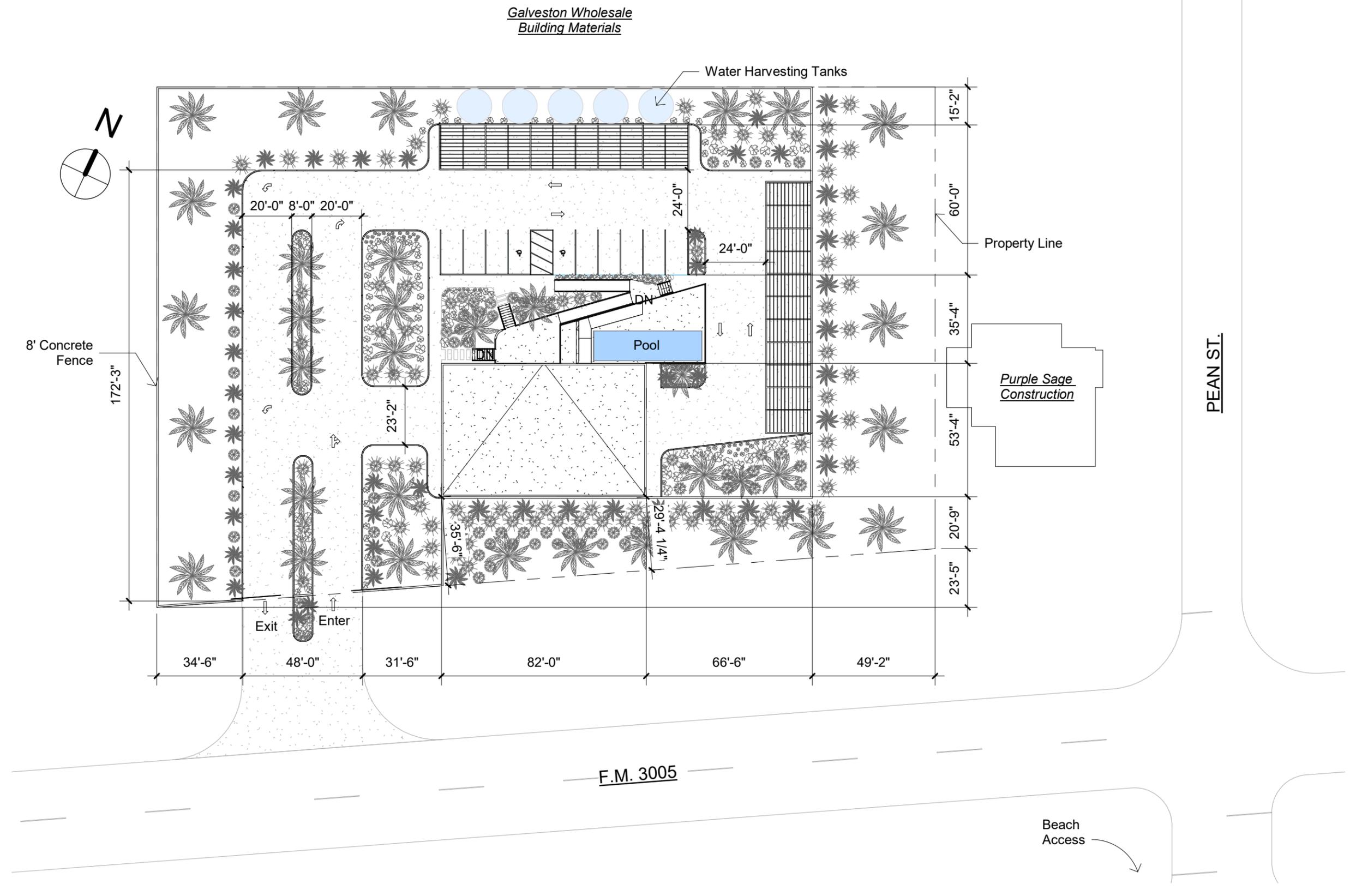
West



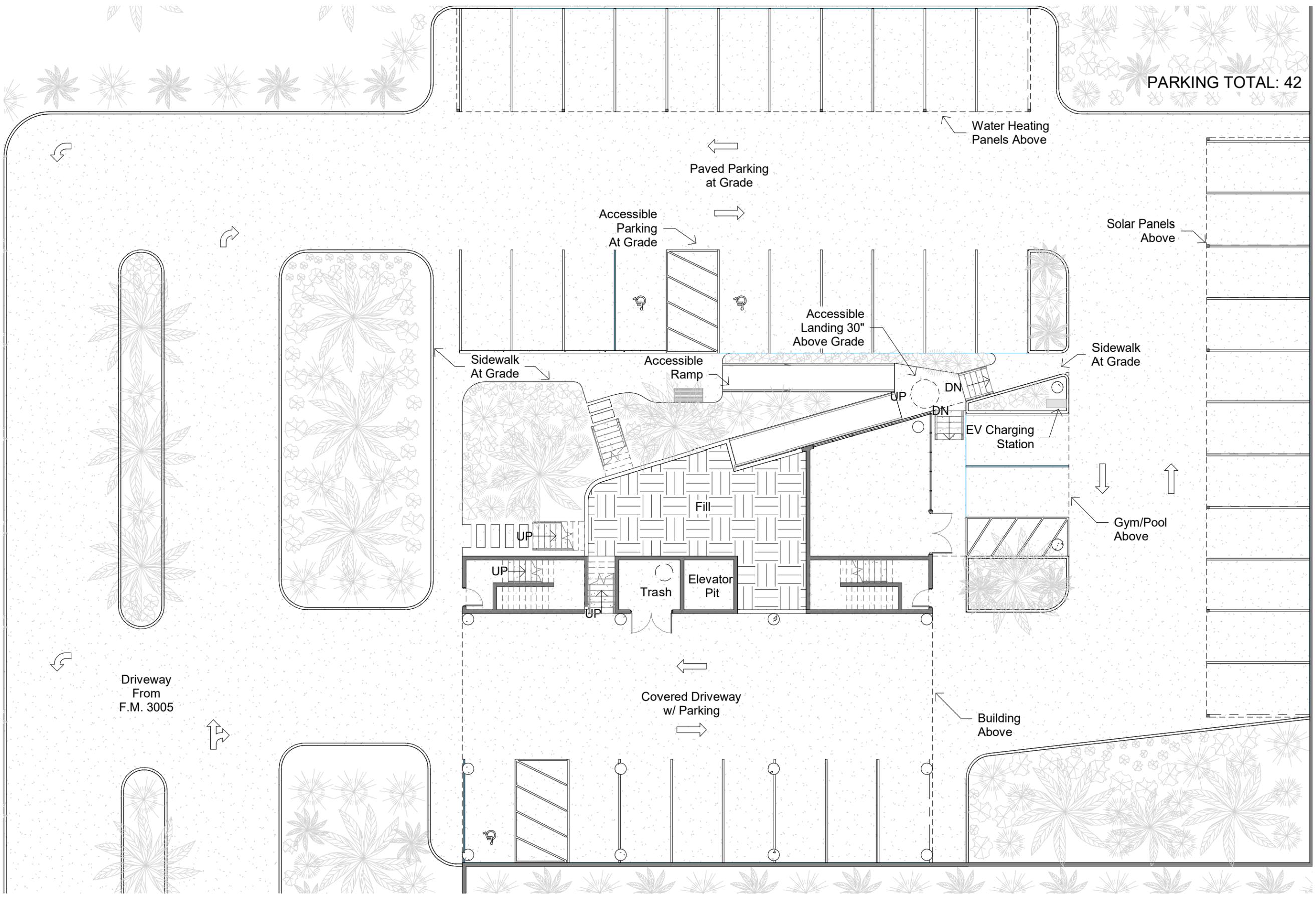
North



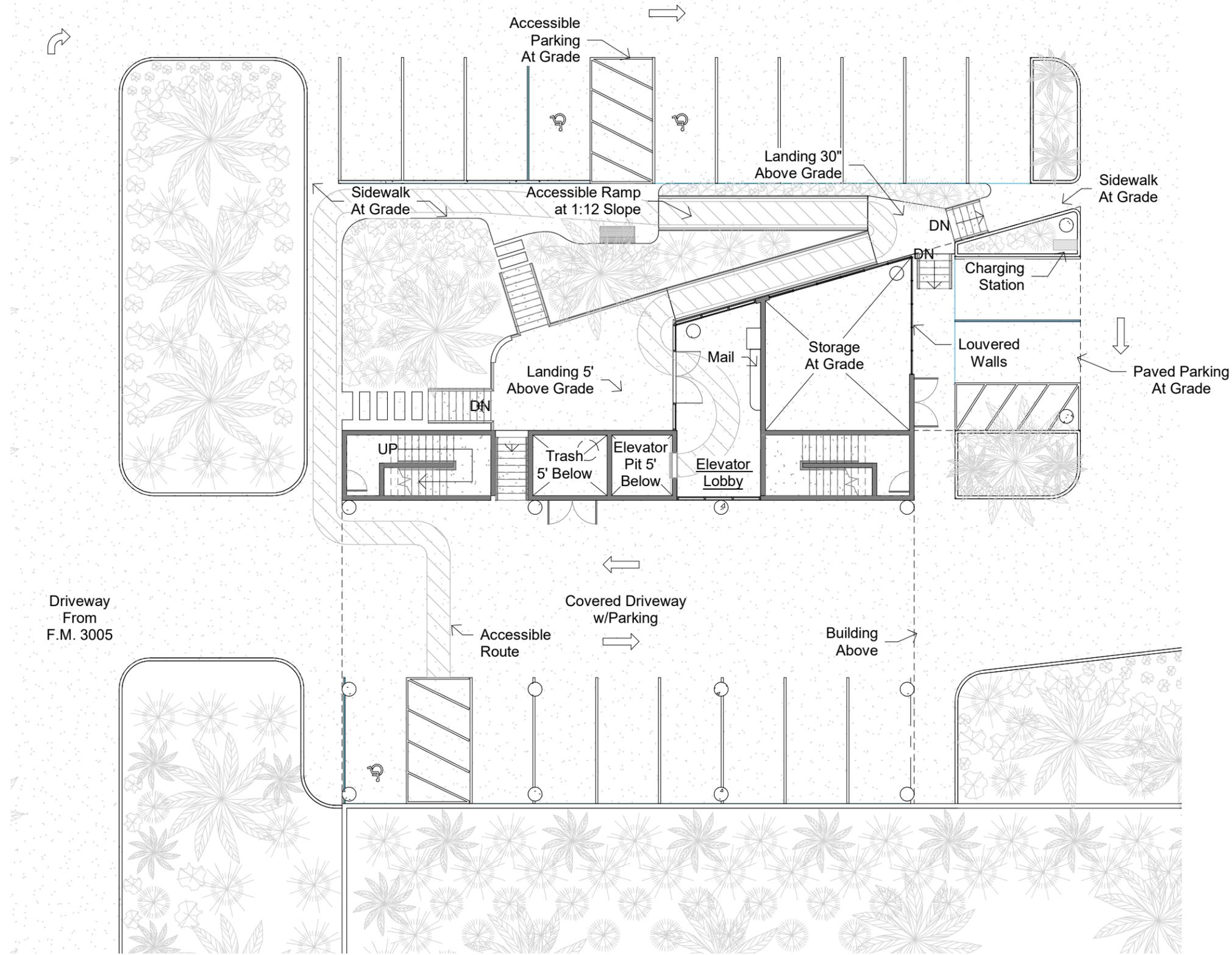
East



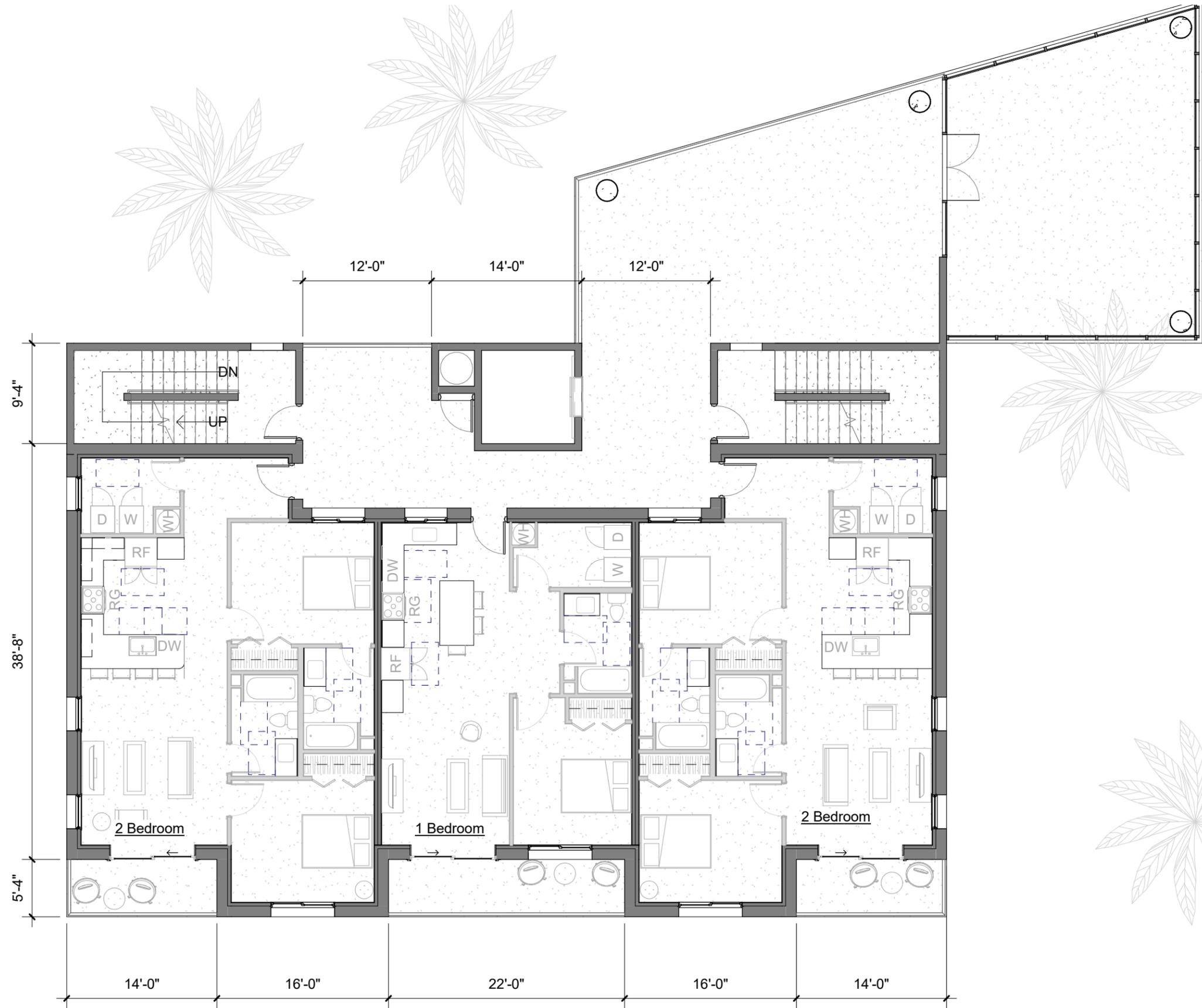
1 PROPOSED SITE PLAN
1" = 40'-0"



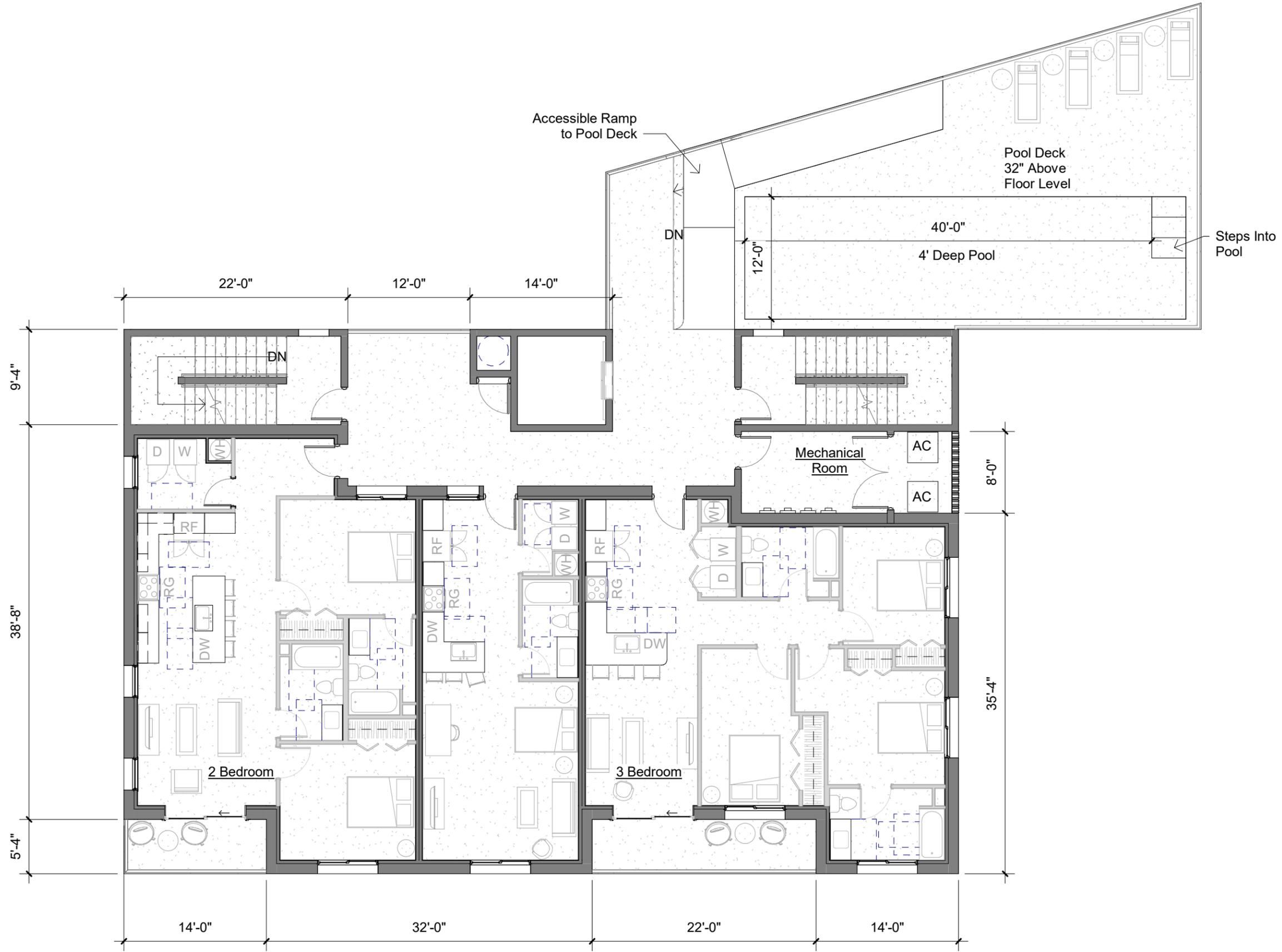
1 PROPOSED PARKING LEVEL
1/16" = 1'-0"



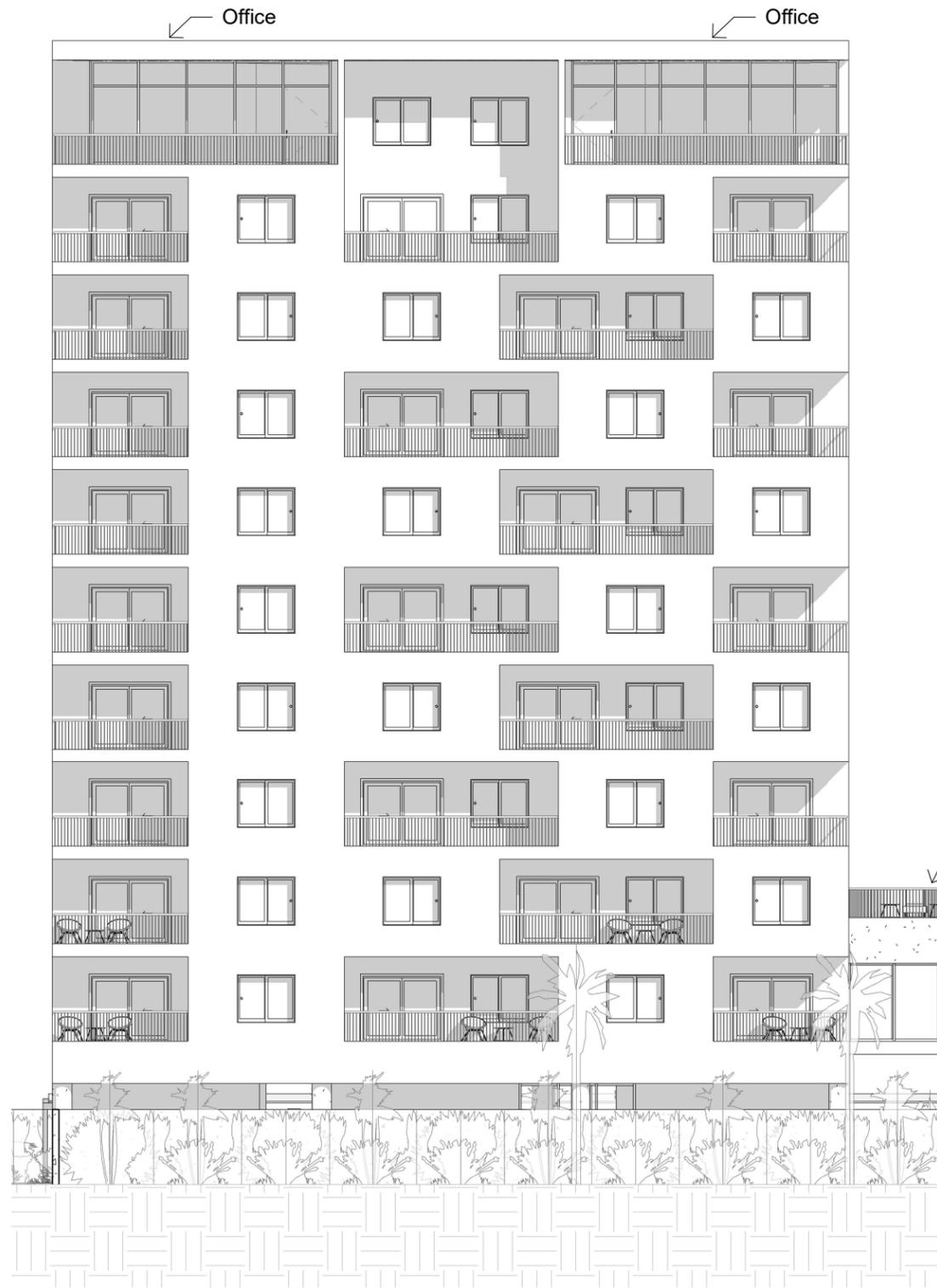
1 PROPOSED ELEVATOR LOBBY
1/16" = 1'-0"



① Level 2
1" = 10'-0"



① Level 3
1" = 10'-0"



① South
1/16" = 1'-0"



② East
1/16" = 1'-0"



① North
1/16" = 1'-0"



② West
1/16" = 1'-0"





20ZA-001

STAFF REPORT

APPLICANT:

David Watson

REQUEST:

Text Amendment

APPLICABLE ZONING LAND USE REGULATIONS:

Article 2, Uses and Supplemental Standards

PROPOSED TEXT AMENDMENT:

Modify the Limited Standards for the "Self Storage" land use

EXHIBITS:

A – Applicant's Submittal

STAFF:

Adriel Montalvan
Senior Project Manager
409-797-3645
amontalvan@galvestontx.gov

Catherine Gorman, AICP
Assistant Director/HPO
409-797-3665
cgorman@galvestontx.gov

Executive Summary:

The applicant is requesting modification to the Land Development Regulations regarding the Limited Standards for the "Self Storage" land use.

"Self Storage" has the following definition:

Self Storage means a building or group of buildings that are used for the indoor storage of personal property or records, where individual owners or tenants control individual storage spaces.

"Self Storage" is permitted by right in the Commercial (C), Light Industrial (LI), and Heavy Industrial (HI) zoning districts and is permitted as a Limited Use in the Multi-Family (MF) and Central Business (CB) zoning districts. Limited Uses are allowed provided the associated Limited Use Standards are met. In this case, the Limited Use Standards are:

1. **Existing Structure.** The use shall be permitted only in existing structures (as of March 5, 2015) in the CB District.
2. **Mixed-Use Building for Street-Level Activity.** The use shall be permitted only in mixed-use buildings with one or more active uses on the ground floor. No self-storage units shall be located on the ground floor or first habitable floor.
3. **Outdoor Storage.** All self-storage units shall be fully enclosed, and the use shall not involve any outdoor storage.
4. **Minimum Distance from Same Use within CB District.** The use shall be located at least one-half mile from an existing location of the same use within the CB district, measured as a radius from property lines of the limited use.
5. **Internal Access.** Access to all self-storage units shall be made through the interior of the building rather than from direct outside entrances to each unit.
6. **On-Site Security.** The use shall provide on-site security during all hours of operation including screening all visitors to maintain controlled access to the self-storage units.
7. **Noise Limitation.** All outdoor activities shall comply with City noise regulations.
8. **Screening.** Any off-street areas provided for drop-off and loading activity shall be screened so as not to be visible from abutting public street right-of-ways.

The applicant is proposing to eliminate Standard #4 regarding the minimum distance from the same use within the CB District. As further described in the applicant's narrative, Exhibit A, the applicant claims that this requirement creates a monopoly by not allowing more than one self storage business in the CB District.

Criteria for Text Amendments

Per Section 13.700: Text Amendments of the Land Development Regulations:

Recommendations and decisions regarding petitions for amendments to the text of these regulations are legislative in nature, but shall be based on consideration of all the following criteria:

1. The proposed amendment will help to implement the adopted City of Galveston 2011 Comprehensive Plan or if it involves a topic that is not addressed or not fully developed in the City of Galveston 2011 Comprehensive Plan, the proposed amendment will not impair the implementation of the adopted City of Galveston 2011 Comprehensive Plan and other adopted special-area and special-topic plans when compared to the existing regulations.
2. The proposed amendment is consistent with the stated purposes of these regulations.
3. The proposed amendment will maintain or advance the public health, safety, or general welfare.
4. The proposed amendment will help to mitigate adverse impacts of the use and development of land on the natural or built environment, including, but not limited to mobility, air quality, water quality, noise levels, storm water management, wildlife protection, and vegetation or will be neutral with respect to these issues.
5. The proposed amendment will advance the strategic objectives of the City Council such as fiscal responsibility, efficient use of infrastructure, public services, and other articulated City objectives.

Per Section 13.702: Text Amendments of the Land Development Regulations:

Purposes: Text amendment proposals shall serve the following purposes:

1. Advancing the goals, objectives and policies of the City's Comprehensive Plan and other adopted special-area and special-topic plans;
2. Securing adequate light, air, convenience of access, and safety from fire, flood and other danger;
3. Lessening or avoiding congestion in public ways; Promoting the public health, safety, comfort, morals, convenience and general welfare; and Otherwise accomplishing the purposes of Texas Local Government Code Chapter 211, Municipal Zoning Authority.

Consideration for Text Amendments

Considerations: In preparation and considering proposals for text amendments, the Planning Commission and City Council shall pay reasonable regard to:

1. The Comprehensive Plan and related plans;
2. Current conditions and the character of current uses and structures in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Other Reviews

City Council has final decision making authority on this request. It will be reviewed at their February 27, 2020 meeting.

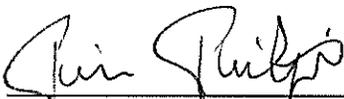
Respectfully Submitted,



Adriel Montalvan, Senior Project Manager

1/27/2020

Date



Tim Tietjens, Director of Development Services

1/30/2020

Date



DAVID WATSON, ARCHITECT & ASSOCIATES

402 20TH STREET, GALVESTON, TEXAS 77550
 409•762•8000 (voice) DWARCH@AOL.COM 409•762•5256 (fax)
 DAVIDWATSONARCHITECT.COM

Detailed Narrative of Request

Currently, Sec. 2.367 of the Land Development Regulation (Self Storage) states:

1. Permitted only in existing structures in CB
2. No self-storage units shall be located on the ground floor.
4. The use shall be located at least ½ mile from the existing location of the same use within the CB district, measured as a radius from property lines of the limited use.

These guidelines, when applied comprehensively, generate a monopoly within the Central Business district. Specifically, #4 causes a limitation of only one self-storage business to exist in the Central Business district.

The request is to eliminate Sec. 2.367 #4:

This will allow for a reduction of the deficit of self-storage existing in Galveston.

Supporting Documentation

The proposed amendment will help to implement the adopted Comprehensive Plan, or, if it addresses a topic that is not addressed or fully developed in the Comprehensive Plan, the proposed amendment does not impair the implementation of the adopted Comprehensive Plan when compared to the existing Land Development Regulations:

The City of Galveston Comprehensive Plan, adopted October 27th, 2011, does not address Self-Storage. Various types of storage are mentioned in the Land Use and Infrastructure Element portions of the plan. The Land Use Objectives and Goals address storage pertaining to the Industrial operations and Machinery storage (LU-2.5) and Storage yards at Scholes Airport (LU-5.2). The Infrastructure Element Objectives and Goals address storage pertaining to the Water Storage via the Water Master Plan(I-1), Exploring alternative water sources such as Aquifer Storage and recovery wells (I-1.3), and enhancing and strengthening infrastructure for continuity of service and quick recovery from disasters such as ground storage tanks, elevated storage tanks, and storage tank rehab (I-6).

The proposed amendment is consistent with the stated purposes of the Land Development Regulations:

Article 1. Section 1.103 Purposes, Paragraph A. General Purposes, Sub-section 3. Point F., the purpose of to facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

According to a study performed in 2016, there is an existing deficit of self-storage on the island. Currently, there is a trending growth in Galveston which will result in a larger deficit and requirement of self-storage. The Central Business district is densely populated with multi-story properties, unlike other zoning districts. These existing properties hold the most potential for implementing the use proposed. However, #4 of Section 2.367, eliminates the possibility of 95% of structures in the Central Business district. The remaining of 5% are eliminated by #1 & #2. (Refer to ½ Mile Map provided in packet)

**DAVID WATSON, ARCHITECT & ASSOCIATES**

402 20TH STREET, GALVESTON, TEXAS 77550
409•762•8000 (voice) DWARDCH@AOL.COM 409•762•5256 (fax)
DAVIDWATSONARCHITECT.COM

The proposed amendment will maintain or advance the public health, safety or general welfare:

This structure takes the entire block. The 3-story portion will have retail/business on the ground floor and self-storage on the 2nd and 3rd floor. The 7-story portion will have residential units, like the properties to the north and south. The property to the East is a government park and facility with the property to the west being a church/preschool. The implementation of Self-Storage in this facility would provide benefits for the surrounding businesses and residences while, also, ameliorating the storage deficit in the Central Business district.

The proposed amendment will help to mitigate the adverse impacts of the use and development of land on the natural or built environment, including but not limited to mobility, air quality, noise levels, stormwater management, wildlife, and vegetation protection; or be neutral with respect to these issues:

The proposed amendment is mitigating a deficit generated by a monopoly of self-storage use in the Central Business district due to overbearing regulations, applied comprehensively. Utilizing a structure as a self-storage use has less detrimental effects on the environment than the majority of other uses.

The proposed amendment will advance the strategic objectives of the City Council, such as fiscal responsibility, efficient use of infrastructure and public services, and other articulated City objectives:

The proposed amendment is purposed towards alleviating an existing deficit of self-storage in Galveston.

