AGENDA
PLANNING COMMISSION
REGULAR MEETING
3:30 p.m. Tuesday, June 16, 2020
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

In order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19), the meeting will be held by videoconference and there will be no public access to the location described above.

Public Comment can be submitted on-line: https://forms.galvestontx.gov/Forms/PublicComment or by calling 409-797-3665.

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

   Documents:

   2020-06-02 PC MINUTES.PDF

5. Meeting Format (Staff)
6. Public Comment

   Members of the public may submit a public comment using the web link below. All comments submitted prior to the meeting will be provided to the Planning Commission.

   HTTPS://FORMS.GALVESTONTX.GOV/FORMS/PUBLICCOMMENT

   a. Agenda Items
   b. Non-Agenda Items

7. Old Business And Associated Public Hearings

   A. 20P-010 (21618 Kennedy Dr.) Request For A Beachfront Construction Certificate/Dune Protection Permit In Order To Construct A Single-Family Dwelling And Driveway. The Property Is Legally Described As Lot 60 & Adj 30 Ft Tr (60-1), Sea Isle, A Subdivision In The City And County Of Galveston, Texas. Applicant: Galveston Beach Houses, LLC, Gerald Meritt Property Owner: Lee And Kim McCurry

   Documents:

   20P-010 - MEMO - 06.12.2020.PDF

8. New Business And Associated Public Hearings

   A. 20P-019 (4127 Avenue T 1/2) Request To Replat One Lot Into Two Lots. Property Is

Legally Described As M.B. Menard Survey, Lot 1, Southeast Block 183, Galveston Outlots, In The City And County Of Galveston, Texas. Applicant: Lindsey Polk, Tricon Land Surveying, LLC. Property Owners: Ha Hoa Quoc & Ngoc-Hanh Thi Nguyen

Documents:

20P-019 PKT.PDF

B. 20P-020 (5228 Broadway /Avenue J, 5100 Sealy, Avenue I, And 5215 Winne/Avenue G)

Request for a Planned Unit Development (PUD) Overlay District to construct a "Multi-Family Residential" complex. Properties are legally described as M.B. Menard Survey (0-0), Block 232 and the Sourth 1/2 of Adjacent Avenue I; M.B. Menard Survey (0-0), Block 291, 292, and Adjacent Streets; M.B. Menard Survey (0-0), Block 351 and Part of Adjacent Avenue H and 52nd Street; and M.B. Menard Survey (0-0), Block 352 and Part of Adjacent Avenue H and 52nd Street; in the City and County of Galveston, Texas.
Applicant: Michael Saunders, McCormack Baron Salazar, Inc.
Property Owner: Galveston Housing Authority

Documents:

20P-020 STF PKT.PDF

C. 20PA-11 (5228 Broadway /Avenue J, 5100 Sealy, Avenue I, And 5215 Winne/Avenue G)

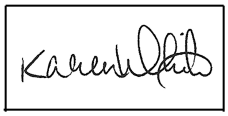
Request for a recommendation to City Council regarding Public Housing for property commonly known as "Oleander Homes" as required by Article X (2)(7) of the Charter of the City of Galveston. Properties are legally described as M.B. Menard Survey (0-0), Block 232 and the Sourth 1/2 of Adjacent Avenue I; M.B. Menard Survey (0-0), Block 291, 292, and Adjacent Streets; M.B. Menard Survey (0-0), Block 351 and Part of Adjacent Avenue H and 52nd Street; and M.B. Menard Survey (0-0), Block 352 and Part of Adjacent Avenue H and 52nd Street; in the City and County of Galveston, Texas.
Applicant: Michael Saunders, McCormack Baron Salazar, Inc.
Property Owner: The Galveston Housing Authority

Documents:

20PA-011 MEMO.PDF

9. 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 June 12,2020 at 1:00 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 – June 2, 2020

CALL MEETING TO ORDER

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

ATTENDANCE

Members Present via Videoconference:	Jeff Antonelli, Cate Black, Lisa Blair, Bob Brown, Eugene Cook, Jeffrey Hill, Carol Hollaway, CM John Paul Listowski
Members Absent:	None
Staff Present:	Tim Tietjens, Development Services Director; Catherine Gorman, AICP, Assistant Director/HPO
Staff Present via Telephone:	Dustin Henry, AICP, Coastal Resource Manager; Virginia Greb, Assistant Coastal Resource Manager; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The May 19, 2020 minutes were approved as presented.

COVID-19 UPDATE

Staff updated the Commission and the public on the City's steps to reduce the spread of COVID-19.

MEETING FORMAT

Staff explained the adjusted meeting format to the Commission and the public.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

20P-010 (21618 Kennedy Dr.) Request for a Beachfront Construction Certificate/Dune Protection Permit in order to construct a single-family dwelling and driveway. The property is legally described as Lot 60 & Adj 30 Ft Tr (60-1), Sea Isle, a Subdivision in the City and County of Galveston, Texas.
Applicant: Galveston Beach Houses, LLC, Gerald Meritt
Property Owner: Lee and Kim McCurry

Staff presented a memorandum requesting that case 20P-010 be continued until the regular meeting of June 16, 2020 in order to allow the applicant more time to prepare revised drawings of the proposed single-family dwelling that encroaches into the Dune Conservation Area.

Chairperson Cate Black opened the public hearing on case 20P-010. The public hearing was closed and the Chairperson called for questions or comments from the Commission.

Carol Hollaway made a motion to continue case 20P-010 per the applicant's request. 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.

20P-018 (11375 Beachside Dr.) Request for a Beachfront Construction Certificate/Dune Protection Permit in order to construct a single-family dwelling, driveway, and perimeter fence. The legal description of the property is Lot 515, Beachside Village, Section 5, a Subdivision in the City and County of Galveston, Texas.
Applicant: Beachside Village Builders, Debbie Reinhart
Property Owner: Jamie and Melissa Spicer

Staff presented the staff report.

Chairperson Cate Black opened the public hearing on case 20P-018. Applicants Debbie and Bruce Reinhart presented to the Commission. 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 20P-018 with staff's recommendations, but with the addition of a condition to require a mitigation plan as required by the Beachfront Construction/Dune Protection permit. Carol Hollaway seconded.

Vice-Chairperson Jeffrey Hill made a motion to withdraw her motion. Carol Hollaway seconded.

Chairperson Cate Black reopened the public hearing on case 20P-018. Applicants Debbie and Bruce Reinhart addressed the Commission. The public hearing was closed.

Vice-Chairperson Jeffrey Hill made a motion to approve case 20P-018 with staff's conditions plus an additional condition to require a mitigation plan as required by the Beachfront Construction/Dune Protection permit. Chairperson Cate Black seconded.

Bob Brown proposed a friendly amendment to modify condition 1 as follows:

1. The applicant shall ~~submit a revised plan relocating the proposed construction~~ **construct** as far landward as practicable ~~prior to the issuance of the Beachfront Construction/Dune Protection permit~~ **as shown on site plan A2**;

Chairperson Cate Black suggested omitting condition 1.

Vice-Chairperson Jeffrey Hill accepted the friendly amendment to omit condition 1. Chairperson Cate Black 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.

DISCUSSION AND ACTION ITEMS

- Discussion of changes to Beachfront Construction and Dune Protection Permit staff reports (Staff)

THE MEETING ADJOURNED AT 4:58 PM

20P-010 MEMORANDUM

TO: Cate Black**,** Planning Commission Chair
Planning Commission

FROM: Virginia Greb, Coastal Resources Assistant Manager
Development Services Department

DATE: June 12, 2020

RE: **20P-010 (21618 Kennedy Dr.)** Request for a Beachfront Construction Certificate/Dune Protection Permit in order to construct a single-family dwelling and driveway. The property is legally described as Lot 60 & Adj 30 Ft Tr (60-1), Sea Isle, a Subdivision in the City and County of Galveston, Texas.
Applicant: Galveston Beach Houses, LLC, Gerald Meritt
Property Owner: Lee and Kim McCurry

Staff is requesting a deferral of the above referenced case until the July 21, 2020 regular Planning Commission meeting. Staff is requesting the deferral in order to allow more time for the applicant to prepare revised drawings of the proposed single-family dwelling that encroaches in the Dune Conservation Area.

This is the second deferral request. There are no costs associated with this deferral.

In accordance with the Land Development Regulations, Section 13.306 Dormant Applications, this application shall be regarded as a dormant application and shall expire if the applicant fails to take action within 45 days of receiving written notice of the request for additional information. The time for expiration of an application may be extended by up to six additional months upon written request of the applicant before the end of the 45 days.

Planning Commission
Development Services Department
City of Galveston
June 16, 2020

20P-019 STAFF REPORT

ADDRESS:
4127 Avenue T 1/2

LEGAL DESCRIPTION:
Request to replat one lot into two lots. Property is legally described as M.B. Menard Survey, Lot 1, Southeast Block 183, Galveston Outlots, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:
Lindsey Polk, Tricon Land Surveying, LLC.

PROPERTY OWNER:
Ha Hoa Quoc & Ngoc-Hanh Thi Nguyen

ZONING:
Residential, Single Family (R-1)

REQUEST:
Request for a replat from one (1) lot to two (2).

STAFF RECOMMENDATION:
Approval based on findings and conditions.

EXHIBITS:
A – GIS Map and Current Survey
B – Replat Survey

STAFF:
Daniel Lunsford, Planner
409-797-3659
dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
26				

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 Responses:
No Objections

Executive Summary
The applicant is requesting a replat to increase the number of lots from one (1) to two (2), which would place each of the two existing houses on separate lots as shown in Attachment B.

The Texas Local Government Code, Chapter 212.015, requires a public hearing for replats increasing lot density in a single-family zoning district. If the plat meets the requirements of the Galveston Land Development Regulations, the review of the plat by Planning Commission is a ministerial act.

Zoning and Land Use

Location	Zoning	Land Use
Subject Site	Residential, Single Family- Modified (R-1)	Residential
North	Residential, Single Family- Modified (R-1)	Residential
South	Commercial (C)	Residential
East	Residential, Single Family - Modified (R-1)	Residential
West	Residential, Single Family- Modified (R-1)	Residential

Site and Surrounding Area

This property and the properties to the east, north, and west are Residential, Single Family (R-1) properties. The property to the south is Commercial (C) zoning fronting Avenue U near Seawall Boulevard.

Drainage/Public Infrastructure and Easements

There were no objections from any Public or Private Utilities. Existing utilities may need to be relocated into public right-of-way or easements as a condition of plat approval.

Minimum Lot Standards

The Residential, Single Family (R-1) zoning district lot requirements were modified for properties located, West of 25th Street, east of 61st Street, South of Broadway Boulevard, north of Seawall Boulevard. The properties in this area have no lot width or depth requirements but do require a minimum of 2,500 square feet per lot.

The replat meets the minimum standards for lots in the Residential, Single Family Modified (R-1) zoning district per Article 3, Addendum for the Residential, Single Family (R-1).

Plat Approval Criteria

According to Section 13.502 of the Land Development Regulations, the following are the approval criteria for plats:

A. **Generally.** Preliminary plats, final plats, and development plats shall be approved if, following review by City staff, it is determined that the plat meets all applicable regulations. The staff report may include "standard conditions" that serve as a checklist of ordinary regulatory requirements, but which are not corrections or changes necessary to conform to applicable regulations.

1. If a plat is submitted to the Planning Commission with only the "standard conditions" in the staff report and no other conditions are required, then the plat will be considered to meet all applicable regulations, approval will be recommended, and the item may be placed on a consent agenda of the Planning Commission.
2. If a plat does not meet all applicable regulations, the plat will be denied, except that readily verifiable conditions may be attached to preliminary approval, the satisfaction of which becomes a prerequisite for final approval.

Staff Recommendation Staff recommends approval of the request with the following conditions:

Specific conditions to Case 20P-019:

1. The applicant shall accommodate the filing of the plat by December 16, 2020;

Standard conditions:

2. The applicant shall adhere to all comments/conditions received from City Departments. Should conformance with the comments/conditions require alterations to the project, as approved, the case must be returned to the Planning Commission for consideration;
3. Planning Commission for additional review and approval. Failure to comply with all comments/conditions may result in penalties and/or revocation of this plat; and
4. The applicant shall comply with all recordation requirements; and, shall provide the Development Services Department and with all Galveston County filing fees by certified check or money order.

Respectfully Submitted,

Daniel Lunsford 06/04/2020

Daniel Lunsford, Planner Date

06/04/2020

Catherine Gorman, Assistant Director, AICP, HPO Date
Development Services

ATTACHMENT A

Zoning District Map

May 18, 2020

1:240

0 0.002 0.004 0.008 mi

0 10 20 40 Feet

Mean High Water 1000Ft Buffer

- End of Seawall to East Beach
- Jamaica Beach to San Luis Pass
- State Park to End of Seawall
- Parcels
- Water Valve
- Fire Hydrant
- Water Meter
- Water Plant

City of Galveston
Galveston Central Appraisal District & Pictometry
Galveston Central Appraisal District
City of Galveston; Atkins North America, Inc.
City of Galveston - Public Works Department

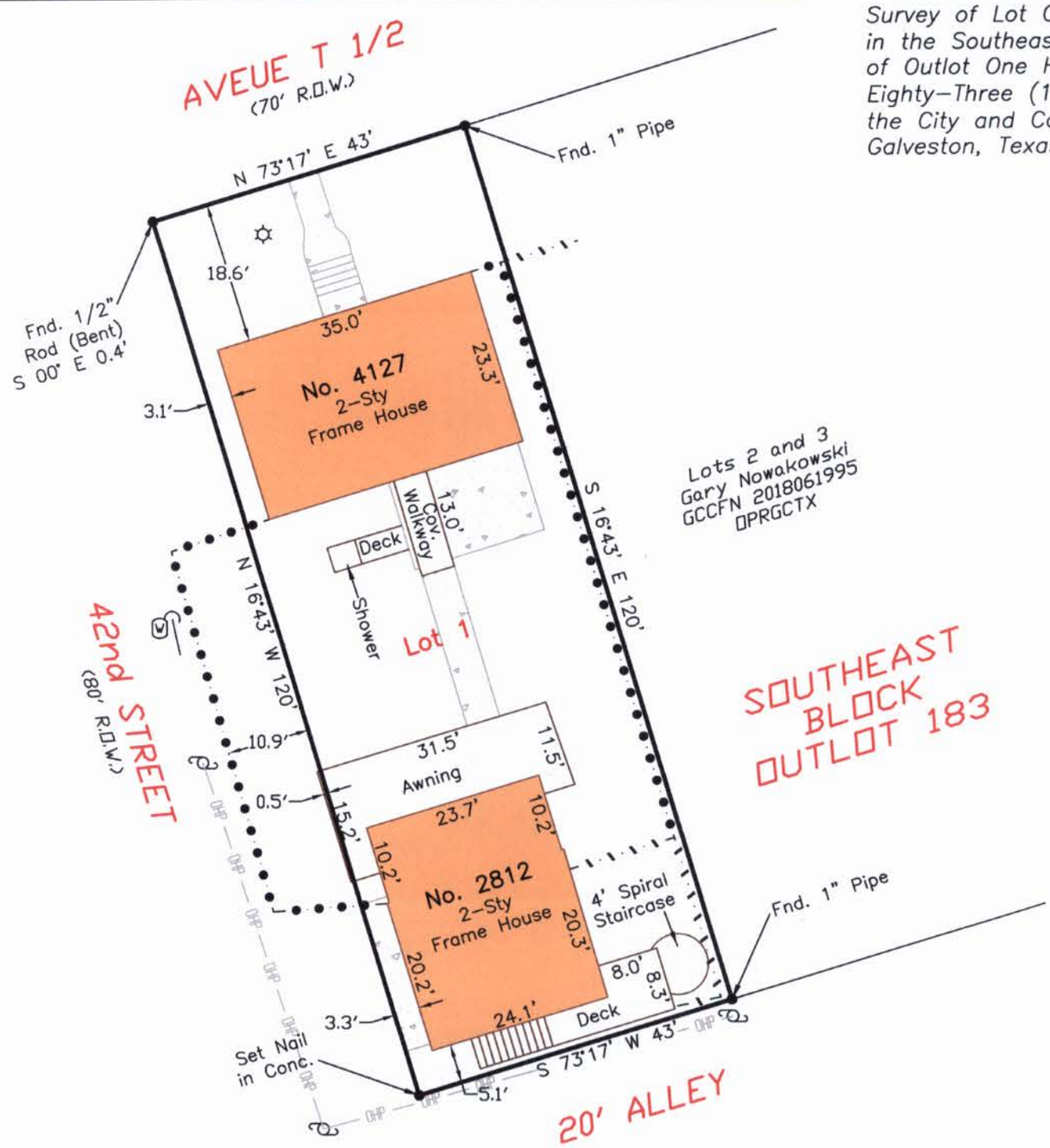
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is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

ATTACHMENT B

TLS Job No 20-0211	4127 Avenue T 1/2, Galveston, TX. 77550	Ref No: 3510-0183-3001-000

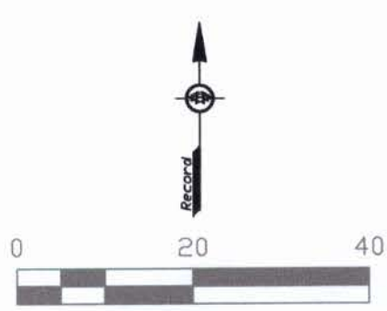
Survey of Lot One (1), in the Southeast Block of Outlot One Hundred Eighty-Three (183), in the City and County of Galveston, Texas.



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
Registered Professional
Land Surveyor No. 6598

STATE OF TEXAS
REGISTERED
BRENE ADDISON
6598
PROFESSIONAL
LAND SURVEYOR



SCALE: 1" = 20'

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 41st Street.

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:
- OHP — Overhead Power
- Chain Link Fence
- Wood Fence
- Concrete
- Light Pole
- Power Pole
- Water Meter
- Down Guy

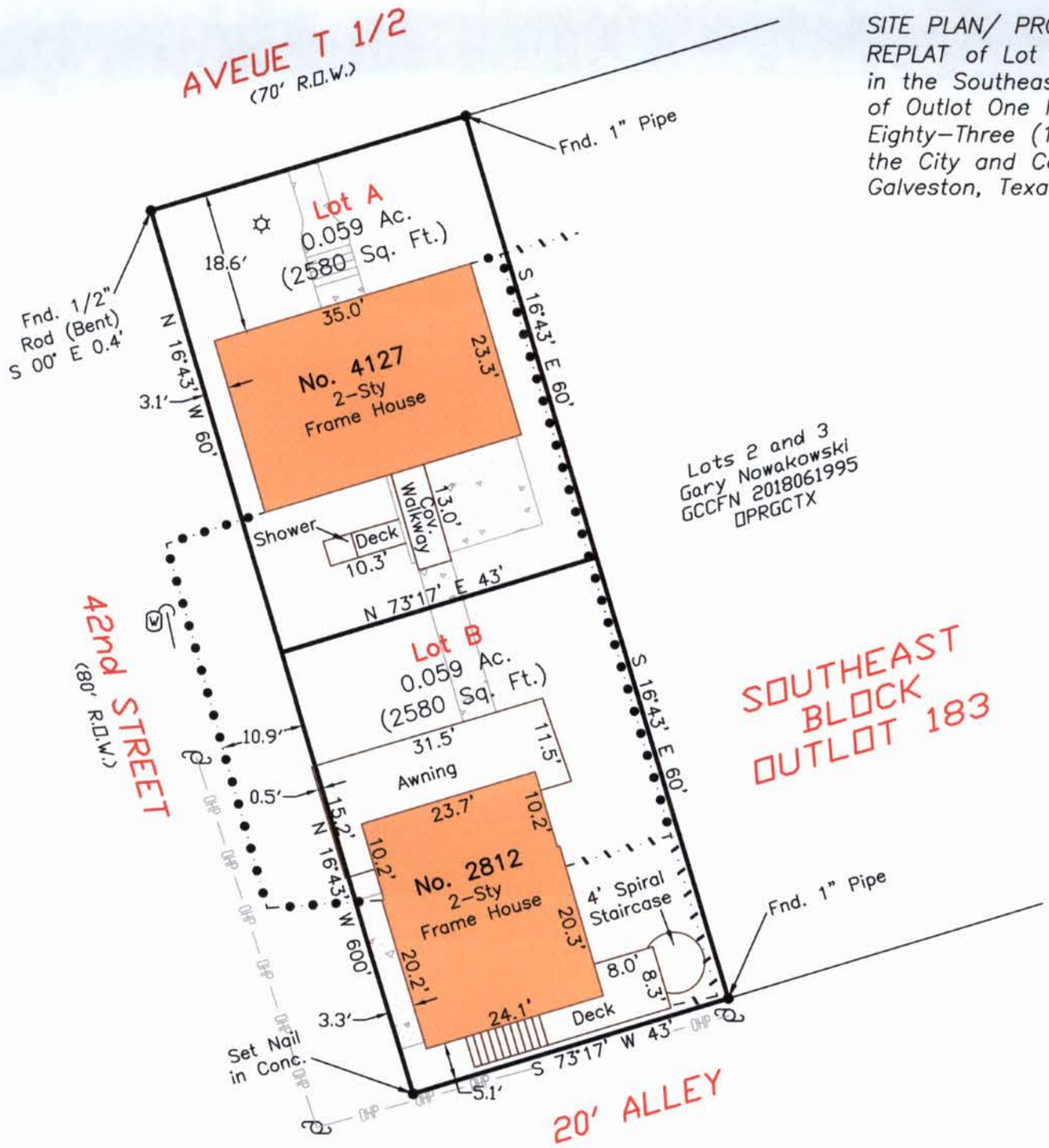
TRICON LAND SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Physical: 2011 59th Street
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309

Drafting: LP | Survey Date: March 17, 2020

Surveyed for: Hanh Nguyen

TLS Job No 20-0211	4127 Avenue T 1/2, Galveston, TX. 77550	Ref No: 3510-0183-3001-000

SITE PLAN/ PROPOSED REPLAT of Lot One (1), in the Southeast Block of Outlot One Hundred Eighty-Three (183), in the City and County of Galveston, 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
Registered Professional
Land Surveyor No. 6598

STATE OF TEXAS
REGISTERED
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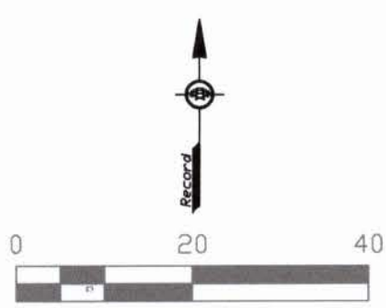

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TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309

Drafting: LP | Survey Date: March 17, 2020

Surveyed for: Hanh Nguyen

Planning Commission
Planning and Development Division
City of Galveston
June 16, 2020

20P-020 STAFF REPORT

ADDRESS:
5228 Broadway /Avenue J, 5100 Sealy, Avenue I, and 5215 Winne/Avenue G

LEGAL DESCRIPTION:
Properties are legally described as M.B. Menard Survey (0-0), Block 232 and the South 1/2 of Adjacent Avenue I; M.B. Menard Survey (0-0), Block 291, 292, and Adjacent Streets; M.B. Menard Survey (0-0), Block 351 and Part of Adjacent Avenue H and 52nd Street; and M.B. Menard Survey (0-0), Block 352 and Part of Adjacent Avenue H and 52nd Street; in the City and County of Galveston, Texas

APPLICANT/REPRESENTATIVE:
Michael Saunders, McCormack Baron Salazar, Inc.

PROPERTY OWNER:
Galveston Housing Authority

ZONING:
Commercial (C)

REQUEST:
Planned Unit Development (PUD)

APPLICABLE LAND USE REGULATIONS:
Article 4 of the Land Development Regulations

STAFF RECOMMENDATION:
Approval with Conditions

ATTACHMENTS:
A – Survey
B – PUD Plan/Narrative
C – Site Plans
D – Elevations
E – Parking Study
F – Tree Preservation Plan
G – Landscape Materials
H – Stormwater Management

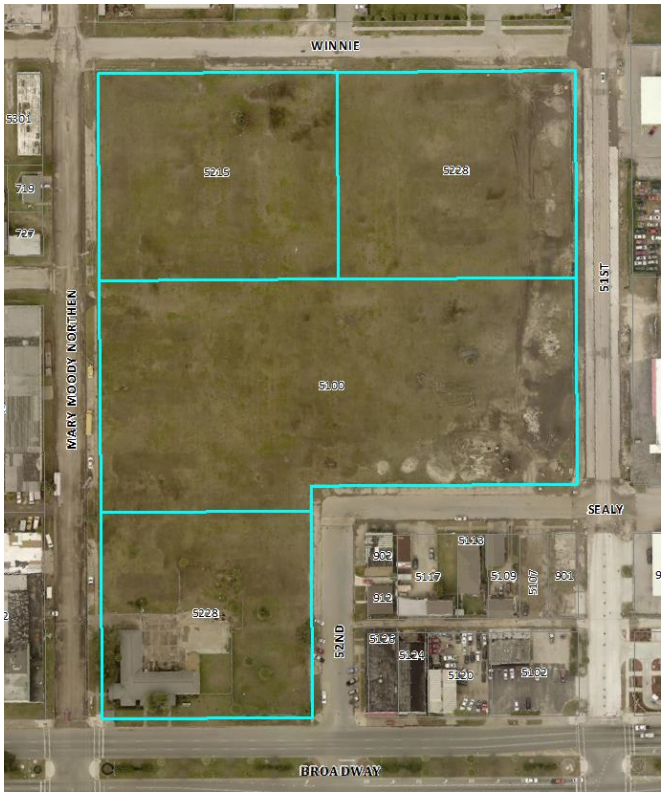
STAFF:
Catherine Gorman, AICP
Assistant Director/HPO
409-797-3665
cgorman@galvestonTX.gov

City Department Notification Responses:
No Objections with the following comments:
Building Division: Must pull all necessary permits, comply with all current adopted codes and City Flood Damage Prevention Ordinance.
Public Works: To ensure that the City does not encounter the previous issues with the addressing of the Housing Authority properties/developments, the City will only be providing one primary address per individual tract of land.
The developer shall be responsible for creating all internal secondary addresses and, if necessary, ensuring that the secondary addresses are recognize by the Galveston Central Appraisal District and the United States Postal Service.

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
33				

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.



Background

The site is the location of the former Oleander Homes public housing complex. The complex was demolished following Hurricane Ike with the exception of the community center along Broadway.

Executive Summary

The request is to establish a Planned Unit Development (PUD) Overlay District in a Commercial (C) base zoning district with Broadway Design Standards for a "Multi-Family Residential" complex. The intent of this PUD request is to deviate from the following requirements of the Land Development Regulations (LDR): right-of-way width, parking space requirement, maximum height, and Broadway Design Standard requirements.

Site Details

The subject site consists of four parcels located north of Broadway, east of 51st Street, south of Winnie, and west of 53rd Street. The total acreage is 11.48 acres. The site is vacant except for the former community center building adjacent to Broadway.

Compatibility with Base and Surrounding Zoning and Land Uses

The Planned Unit Development (PUD) is a floating zoning district intended to create a mixture of uses, density and infrastructure standards, allowing flexibility in the development standards for specific uses on a specific site.

The use of "Multi-Family Residential" is a permitted land use in the base Commercial (C) zoning district. The surrounding land uses consist of a variety of residential, commercial, and industrial uses.

Ability of the Property to be used under Current Zoning

The subject site is zoned Commercial (C). The intent of this zoning district is to accommodate a wide range of retail, service, and office uses. The use of "Multi-Family Residential" is a permitted land use in the Commercial (C) zoning district

The block facing onto Broadway between 52nd and 53rd Streets and labeled on the attachments as "Block 1" is subject to the Broadway Boulevard Design Standards, Appendix Commercial (C), Note 12 of the LDR. This section provides additional standards for properties fronting on Broadway.

PUD Details /Development Plan

The purpose or intent of the PUD	The intent of this PUD request is to deviate from the following requirements of the Land Development Regulations: right-of-way width – from 60-foot right-of-way width to 50-foot right-of-way width, parking space requirement – from 1.5 spaces per unit to 1.25 spaces per unit, maximum height – from 50 feet to 52 feet, and Broadway build-to-line – from 70% to 0%.
PUD Land Uses	"Multi-Family Residential" land use is a permitted land use in the Commercial (C) zoning district
Density	The density is 34.5 dwelling unit per acre. The proposal includes 348 dwelling units with 306 apartments and 42 townhouses. Although the site is currently 11.48 acres, 1.49 acres will be dedicated to the City as public streets.
Building Height	The tallest buildings are three stories with a height of 52 feet above the Base Flood Elevation. The majority of the building heights will be less than 50 feet. The maximum height allowed by the Land Development Regulations is 50 feet measured from the Base Flood Elevation for properties zoned Commercial (C).

Building Setbacks	Building setback is five feet from the side property lines. There is no front or rear setback requirement. Along the Broadway frontage there is a build-to-line requirement that at least 70% of the building be located adjacent to the property line. The applicant is requesting a reduction of this requirement from the 70% to 0%. The building proposed for the Broadway frontage is setback at least 10 feet from the property line to provide area for three stormwater planters.
Limits of Construction	The proposal includes a "Multi-Family Residential" complex and associated amenities. All construction will take place within the subject property.
Building Elevations	Building elevations are included in Attachment D and will consist of brick, stucco, glass, and siding.
Vehicular Parking	The applicant has provided a parking study, Attachment E, which supports the request to reduce the parking space requirement from 1.5 spaces per unit to 1.25 spaces per unit.
Pedestrian Access	Pedestrian access is provided along all of the public street and for internal access.
Streets and Circulation	The applicant is proposing to reestablish rights-of-way for Ball/Avenue H and 52nd Street. They are requesting approval to reduce the required right-of-way width from 60 feet to 50 feet. Circulation for vehicles is located at intervals along the proposed streets.
Screening and Landscape	Screening and Landscaping is provided throughout the complex. The greenspace provided is 171,281 square feet and 39% of the site; including 41,756 square feet of bioswales and 23,080 square feet of stormwater planters. These Low Impact Development features enable the development to retain all stormwater on site. The applicants have provided a Tree Preservation Plan, Attachment F. From the 36 identified trees and palms, 25 will be preserved or relocated within the site. The palms indicated for removal may be removed without any required mitigation. Tree #21 will required a Tree Removal Permit and mitigation. Screening will be provided for the trash dumpsters.
Environmental protection	During construction, temporary storm water pollution prevention devices will be installed to ensure compliance with TCEQ NOI filing.
Signage	Signage will conform to Article 5 of the LDR.
Lighting	Lighting will conform to Article 7 of the LDR.
Phasing or Scheduling	The applicant has provided the following schedule: Permitting: October – December 2020 Building Permit Ready to Issue: January 2021 Start Construction: March 2021 Construction Completion: April 2023
Unique characteristics or exceptional circumstances	The applicant has worked closely with the City Engineer in utilizing Low Impact Development features such as bioswales and stormwater planters to reduce the development's impact on the public storm sewer system.

Criteria for Approval

Per Section 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) The goal of the 2011 Comprehensive Plan's Housing and Neighborhood Element is to "Expand the Availability of Quality Housing to Meet the Needs of a Diverse Population & Build Strong Neighborhoods to Enhance Community Character. Objective HN-3 call for expanded housing choices for low to moderate and workforce income households to strengthen neighborhoods. The Economic Development element recognizes development of workforce and middle-income housing as vital for attracting economic growth on the Island. The Land Use and Community character Element specifically identifies North of Broadway as a location in which new market-rate, high-density urban housing should be located.

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);

    b) 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;

    c) The applicant has worked with the Public Works Department to address their concerns regarding stormwater retention. The applicant will be reinstalling portions of Sealy/Avenue I, Ball/Avenue H, and 52nd Streets at their expense. No objections were submitted by any City Departments.

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;

    d) The range of land uses will remain the same if the PUD is approved. The property is 11.48 acres, which is large enough to provide for reasonable development. All parking and buffering requirements will be met.

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.

e) The site was previously used for Multi-Family development.

Staff Recommendation

Staff finds that the above referenced Criteria for approval have been met.

The City Council has expressed an interest in improving the sidewalk areas on Broadway with additional landscaping. Recently, staff has worked with the Galveston Island Tree Conservancy to determine appropriate planting standards, including appropriate tree species, and size and soil volume. These standards are listed in conditions three and four below. These conditions have been placed by City Council on previously approved PUDs on Broadway. The applicant is proposing a significant number of street trees along Broadway and other street frontages.

Staff is recommending approval of this request with the following conditions:

Specific Conditions:

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. Right-Of-Way Width – from 60-foot right-of-way width to 50-foot right-of-way width,
    b. Parking Space Requirement – from 1.5 spaces per unit to 1.25 spaces per unit,
    c. Maximum Height – from 50 feet to 52 feet, and
    d. Broadway Build-To-Line – from 70% to 0%.
2. Construction must conform to the site plan and design details included with the PUD application and ordinance, Attachments A through H, and adhere to any modifications as approved by City Council;
3. Along Broadway, the applicant shall plant trees fitting a minimum 30-gallon size "planter/container" and having a minimum height of 10-feet and full shrubs with a minimum 3-foot height. Trees are to be selected from the List of Recommended Tree Species by the Galveston Island Tree Conservancy and must be in compliance with the instructions for planting in the Broadway Boulevard Treatment Plan;
4. All trees will be installed according to the City of Galveston Guidelines for planting in the right of way. Tree lawns of sufficient size and soil volume shall be installed along the Broadway Boulevard sidewalk, to support large tree species (greater than 30-feet tall at maturity), such as Live Oak, Montezuma, Bald Cypress, Cedar Elms and Mexican Sycamore and the like. Palms are not substitutes for trees but may be included as decorative additions;
5. The construction of the project shall begin within eight months from July 23, 2020, the date of approval, and must be completed no later than 36 months (July 2023) from the date of approval. If the project has not begun or completed within the above timeframe, the City Council will have discretion to extend the time period if sufficient cause is determined.
6. An approved TXDOT permit may be required for the proposed modifications to the Broadway Boulevard sidewalk area;

7. The applicant shall obtain necessary permits and comply with all City Codes. Additional approvals include, but are limited to:

    a. Preliminary plat,
    b. Final plat,
    c. License to use, if canopies encroach the City of Galveston right-of-way, and
    d. Tree removal Permit and mitigation.

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.

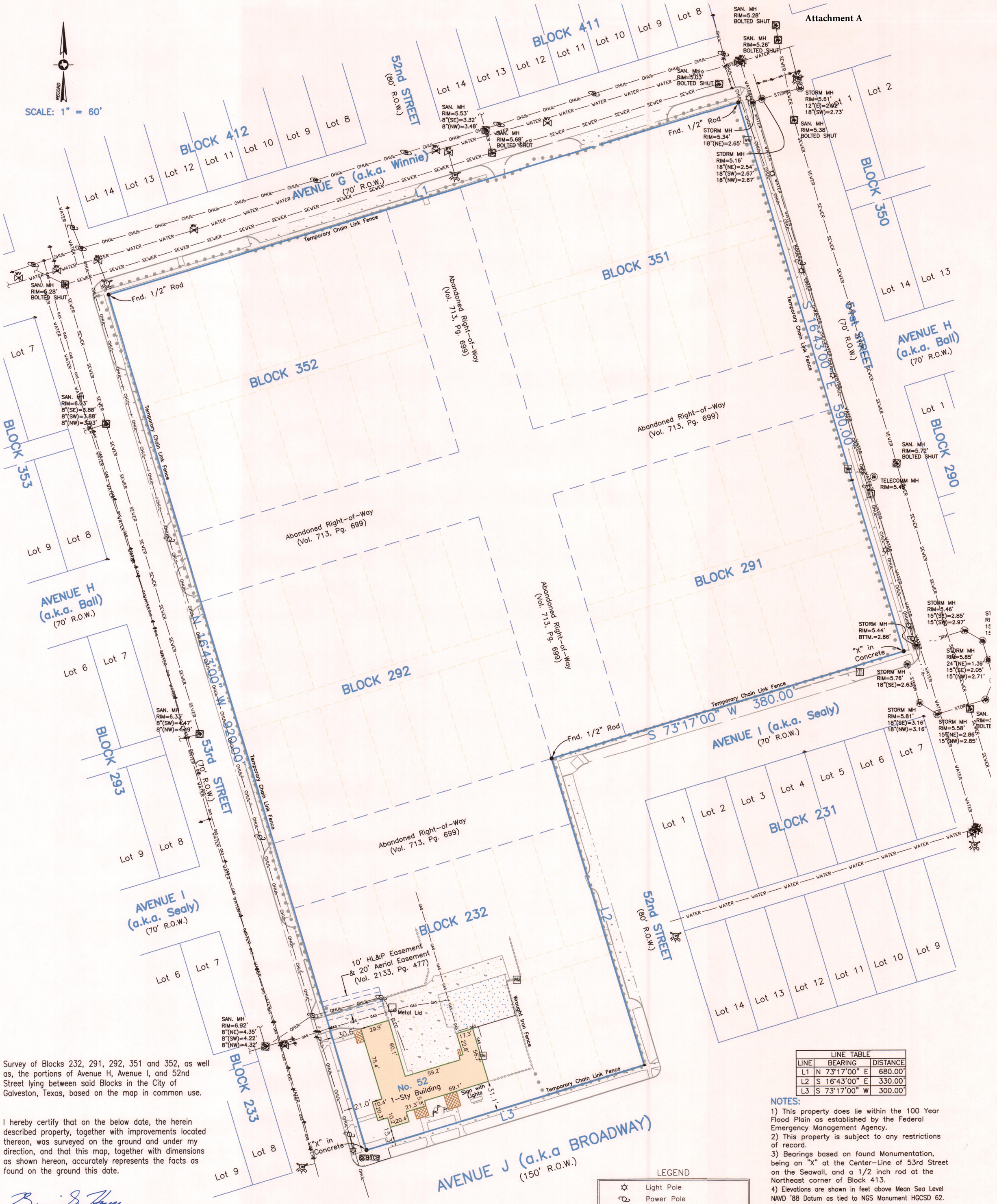
City Council has the final authority on this request. The City council will consider this request at their regular meeting of July 23. 2020.

Respectfully submitted,

_____ 6/11/2020

Catherine Gorman, Assistant Director, HPO, AICP Date

Attachment A



Survey of Blocks 232, 291, 292, 351 and 352, as well as, the portions of Avenue H, Avenue I, and 52nd Street lying between said Blocks in the City of Galveston, Texas, based on the map in common use.

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

STATE OF TEXAS REGISTERED BRIAN S. HOUSE 6520 PROFESSIONAL LAND SURVEYOR

REVISED:	03/18/2020
SURVEY DATE:	JANUARY 16, 2020
FILE No.:	3505-0232-0000-000
DRAFTING:	RGW
JOB No.:	20-0028

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 73°17'00" E	680.00'
L2	S 16°43'00" E	330.00'
L3	S 73°17'00" W	300.00'

LEGEND

- Light Pole
- Power Pole
- Guy Wire
- Telephone Box
- Manhole
- Sanitary Sewer
- Gas Meter
- Water Meter
- Water Valve
- Fire Hydrant
- Traffic Signal Pole
- Traffic Signal Control Box
- GAS — Underground Gas Line
- OHUL — Overhead Utility Line
- ELEC — Underground Electrical Line

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.
3) Bearings based on found Monumentation, being an "X" at the Center-Line of 53rd Street on the Seawall, and a 1/2 inch rod at the Northeast corner of Block 413.
4) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument HGCSD 62.
5) Company: First American Title Insurance Company GF No.: NCS-997150-STLO Issue Date: February 3, 2020
6) Exception from Coverage:
Item 10h: Subsurface right-of-way and Easement in favor of George Mitchell & Associates, Inc. filed in Volume 2077, Page 800;
Item 10i: Terms, Conditions and stipulations in Galveston Townsite Unit No. 1 Delcaration of Pool filed in Volume 2022, Page 628 and as affected by instruments filed in Volume 210, Page 169 and Volume 2289, Page 247;
Item 10l: Terms, conditions and stipulations contained in instrument filed in Clerk's File No. 8931025.
7) Underground electrical, gas, sanitary sewer, storm sewer, and water utility lines, as shown hereon, are based on observed paint stripes and pin flags, marked by others, and observed above ground features. Locations shown should be considered approximate and should be verified in the field prior to construction.

High Tide Land Surveying LLC.
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

Attachment B

R P G A
DESIGN GROUP, INC.

May 18, 2020

Galveston Initiative III, LP
c/o McCormack Baron Salazar, Inc.
720 Olive Street, Suite 2500
St. Louis, Missouri 63101

RE: Oleander Homes
Galveston, TX
Planned Unit Development Narrative

The planned development known as Oleander Homes will consist of 348 apartment units; which 306 are apartment flats in 5 corridor buildings and 42 townhomes in 12 buildings. Currently the site consists of 11.48 acres. Per the submitted Planned Unit Development, the owner will dedicate 1.49 acres to reestablish the public right of ways at Avenue I, Avenue H and 52nd Street. The new total land area will be 10.08 acres with an overall density at 34.5 units/acre.

The site is currently zoned "C" commercial with a Broadway Boulevard Design Standard overlay. The permitted use of the development will be Multifamily (MF). For the most part the development intends to comply with the zoning requirements established by the City of Galveston Land Development Regulations. Due to some unique characteristics of the site, there are some requested changes that are desired to be established with the submission of the Planned Unit Development Overlay. Most notably this site has been directed by the City of Galveston engineering to detain all of its stormwater and infiltrate runoff onsite. This is due to the existing public storm sewer being at capacity, and was not designed to accommodate our infill redevelopment. To maximize the green spaces and open areas needed to achieve this requirement, we are asking for the following regulations to be adopted by the PUD submission.

- Establish 50' Public Right of Ways with 27' wide paved streets in accordance with City of Galveston RD-50 Residential Road standards at abandoned 70' and 80' ROW.

- Establish 10' building setbacks along new and existing right of ways at Broadway Boulevard, Avenue I, 51st Street, 52nd Street and 53rd Street. Along Avenue H a 20' building setback for the townhome buildings is being proposed.

- To reduce the required surface paving a parking reduction from the required 1.5 spaces/unit for multifamily, to 1.25 spaces/unit is being requested.

- Signage will adhere to Article 5 of the Galveston Land Development Regulations. Signage will be located at the corridor buildings addressing right of way intersections. Per Article 5 for C Commercial, attached signs are limited to 3 sign types not exceeding a 500 square foot cumulative area.

101 S. Jennings Avenue, Suite #100 Fort Worth, Texas 76104 (817) 332-9477 FAX 332-9487 (888) TRY-RPGA www.rpgaarchitects.com

- The Base Flood Elevation for our site is 12'. The tallest buildings being the corridor building types will be 3 stories with a maximum top of parapet of 52' above BFE. The majority of the parapets will be less than 50' per allowed standards; but at corner and architectural features we are proposing a taller height to allow for roof top access by the building's stair for maintenance.

- To achieve the stormwater management requirement, we are proposing areas on the site where we will provide bioswales, stromwater planters, drainable paving and underground detention chambers. Along with the development's needs for building footprints, parking and amenity spaces; we will utilize these stormwater strategies in the available open spaces for both onsite and offsite stormwater. We have indicated these potential areas on the PUD site plan.

With these allowed changes, we hope to increase the development's green space for managing the needs of the stormwater detention and as an amenity to the development. The included site plan and building elevations will provided additional clarification of the intent we desire to achieve. If there are any questions or clarifications, please consider me available.

The following exhibits are provided with this submission:

- PUD Site plans, overall development and per block.
- Building Elevations of all building types.
- Oleander Homes Site Survey
- Exhibit A – Tree preservation/mitigation plan
- Exhibit B – Proposed landscape planting material
- Exhibit C – Stormwater Management Strategies

Best regards,

Richard Garza, Principal & President

Dustin Higgins, Project Manager

101 S. Jennings Avenue, Suite #100 Fort Worth, Texas 76104 (817) 332-9477 FAX 332-9487 (888) TRY-RPGA www.rpgaarchitects.com

Attachment C

PLAN DEVELOPMENT NOTES:

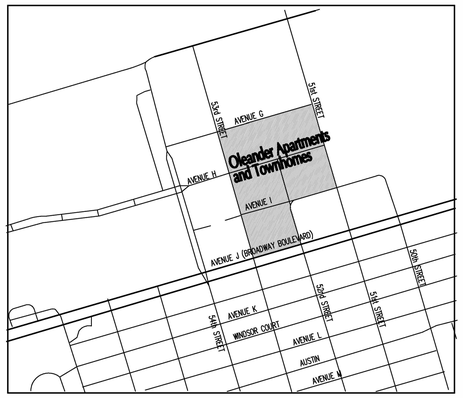
SITE: PROPOSED ZONING CHANGE FROM (C) COMMERCIAL TO "PD" PLANNED DEVELOPMENT

1. DUMPSTER ENCLOSURES TO BE CONSTRUCTED OF STAINED ROUGH CEDAR FENCING WITH TUBE STEEL FRAMING
2. CONDENSING UNITS TO BE LOCATED ON THE ROOF OF THE 4 STORY BUILDINGS. THE TOWN-HOME BUILDINGS ARE TO HAVE CONDENSING UNITS ON THE 2ND LEVEL BALCONIES.
3. ALL LANDSCAPING MUST COMPLY WITH CITY OF GALVESTON LANDSCAPE ORDINANCE ON ACCEPTABLE SPECIES.
4. LAMP POSTS ARE SHOWN ON THE SITE PLAN AND IDENTIFIED AS LP. WALL PACKS ARE SHOWN ON THE PLANS AND IDENTIFIED AS WP. LAMP POSTS ARE TO HAVE FULL CUT-OFF SHIELD WITH HEIGHT OOF 12'-0" MAX. FIXTURE MUST PROVIDE MINIMUM OF 5 FOOTCNDLES AT BASE.
5. WALL PACK LIGHTING TO BE MOUNTED AT 10'-0" ANGLE OF BEAM IS ADJUSTED TO NOT ENCROACH ON ADJACENT PROPERTY. FIXTURE MUST PROVIDE A MINIMUM OF 6 FOOTCANDLES AT SURFACE.

— · — · ACCESSIBLE ROUTE

FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR-TOTAL:7-A1, 8-B1, 1-C1, 1-D1=17 UNITS

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR-TOTAL: 3-A1, 4-B1, 1-C1=8 UNITS



VICINITY MAP

UNIT MIX ALL BLOCKS:

TYPE I	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	1	6	6	13	33%
UNIT B1	976 S.F.	5	9	9	23	59%
UNIT C1	1218 S.F.	0	1	1	2	5%
UNIT D1	1850 S.F.	1	0	0	1	3%
TOTAL		7	16	16	39	100%

TYPE II	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	13	13	13	39	45%
UNIT B1	976 S.F.	15	15	15	45	52%
UNIT C1	1218 S.F.	1	1	1	3	3%
TOTAL		29	29	29	87	100%

TYPE III	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	9	9	9	27	45%
UNIT B1	976 S.F.	9	11	11	31	52%
UNIT C1	1218 S.F.	2	0	0	2	3%
TOTAL		20	20	20	60	100%

UNIT TH-2 1271 S.F. 12 UNITS
UNIT TH-3 1599 S.F. 26 UNITS
UNIT TH-4 1907 S.F. 4 UNITS
TOTAL 42 UNITS

3 TYPE III BUILDINGS =180 UNITS

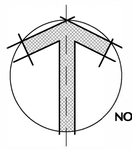
TOTAL UNITS ALL BLOCKS: 348 UNITS

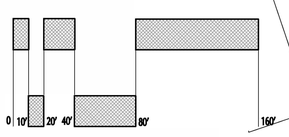
REQUIRED PARKING: 348 UNITS X 1.25=435 SPACES
PARKING PROVIDED:
64 SURFACE 15 HC 356 STANDARD GND.COVERED TOTAL 435 SPACES
DENSITY: 44.55 UNITS/ACRE +32 ON STREET

ALL BLOCKS

TOTAL SITE AREA: 439,085 S.F. 10.08 ACRES
BUILDING FOOTPRINTS:
1 BUILDING TYPE I: 21,436 S.F. = 21,436 S.F.
1 BUILDING TYPE II: 36,208 S.F. = 36,208 S.F.
3 BUILDING TYPE III: 25,251 S.F. = 75,753 S.F.
5 BUILDING TYPE IV: 2442 S.F. = 12,210 S.F.
4 BUILDING TYPE V: 2559 S.F. = 10,236 S.F.
3 BUILDING TYPE VI: 4154 S.F. = 12,462 S.F.
TOTAL BUILDING FOOTPRINTS: =168,305 S.F.

PAVING AND SIDEWALKS: 74,546 S.F.
PICNIC TABLES: 7,227 S.F.
PORCHES: 3,681 S.F.
GREENSPACE:
BIOSWALES: 41,756 S.F.
SW PLANTERS: 23,080 S.F.
TOTAL GREENSPACE: 171,281 S.F. 39%
TOTAL IMPERMEABLE AREA: 253,759 S.F. 58%





01 OVERALL SITE PLAN

SCALE: 1"=40'-0"

DRAWN BY: D.P.H./F.S.G.
CHECKED BY: R.P.G.
DATE: 03.16.2020
ISSUED FOR PERMIT: XX.XX.2020
ISSUE FOR PRICING:
ISSUE FOR CONSTRUCTION: XX.XX.2020
REVISIONS:

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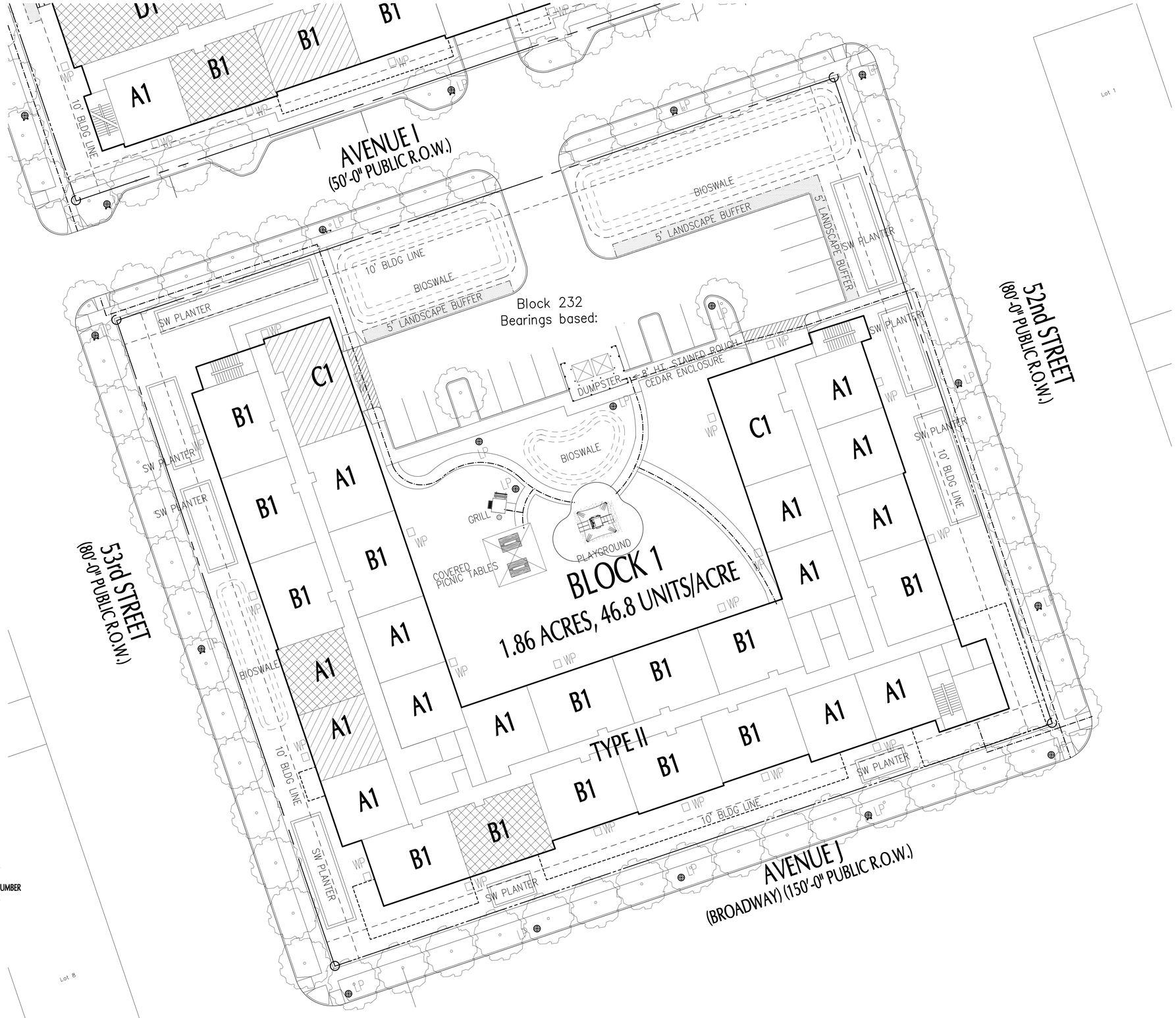
Architecture SpacePlanning Interiors
101 S. Jennings Ave., Suite 100 Fort Worth, Texas 76104 817.332.9477 Fax: 817.332.9487 Metro 972.445.9425

OLEANDER MULTI-FAMILY
APARTMENTS & TOWNHOMES
A 315 UNIT DEVELOPMENT
GALVESTON, TEXAS

SEALS VALID ONLY IF SIGNED AND DATED

PROJECT NO. 080820-SR-1

SHEET NO. A-1.01



FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

ACCESSIBLE ROUTE

UNIT MIX BLOCK 1:

TYPE II	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	13	13	13	39	45%
UNIT B1	976 S.F.	15	15	15	45	52%
UNITC1	1218 S.F.	1	1	1	3	3%
TOTAL		29	29	29	87	100%

REQUIRED PARKING: 87UNITS X1.25=109 SPACES
PARKING PROVIDED:
15 SURFACE 4 HC 85 STANDARD GND.COVERED TOTAL=104 SPACES
DENSITY: 46.8 UNITS/ACRE

SITE CALCULATIONS:

BLOCK 1
TOTAL SITE AREA: 81,022 S.F. 1.86 ACRES
BUILDING TYPE II FOOTPRINT: 30,880 S.F.
PAVING AND SIDEWALKS: 11856 S.F.
PLAYGROUND: 781 S.F.
PORCH: 0 S.F.
GREENSPACE:
BIOSWALES: 7346 S.F.
SW PLANTERS: 6276 S.F.
TOTAL GREENSPACE: 34,973 S.F.43%
TOTAL IMPERMEABLE AREA: 43,517 S.F. 54%

0 4' 8' 16' 32' 64'

NORTH

01 SITE PLAN BLOCK 1
SCALE: 1/16"=1'-0"

DRAWN BY: M.C.P.
CHECKED BY: D.P.H.
DATE: 03.16.2020
ISSUED FOR PERMIT: XX.XX.2020
ISSUE FOR PRICING:
ISSUE FOR CONSTRUCTION: XX.XX.2020
REVISIONS:

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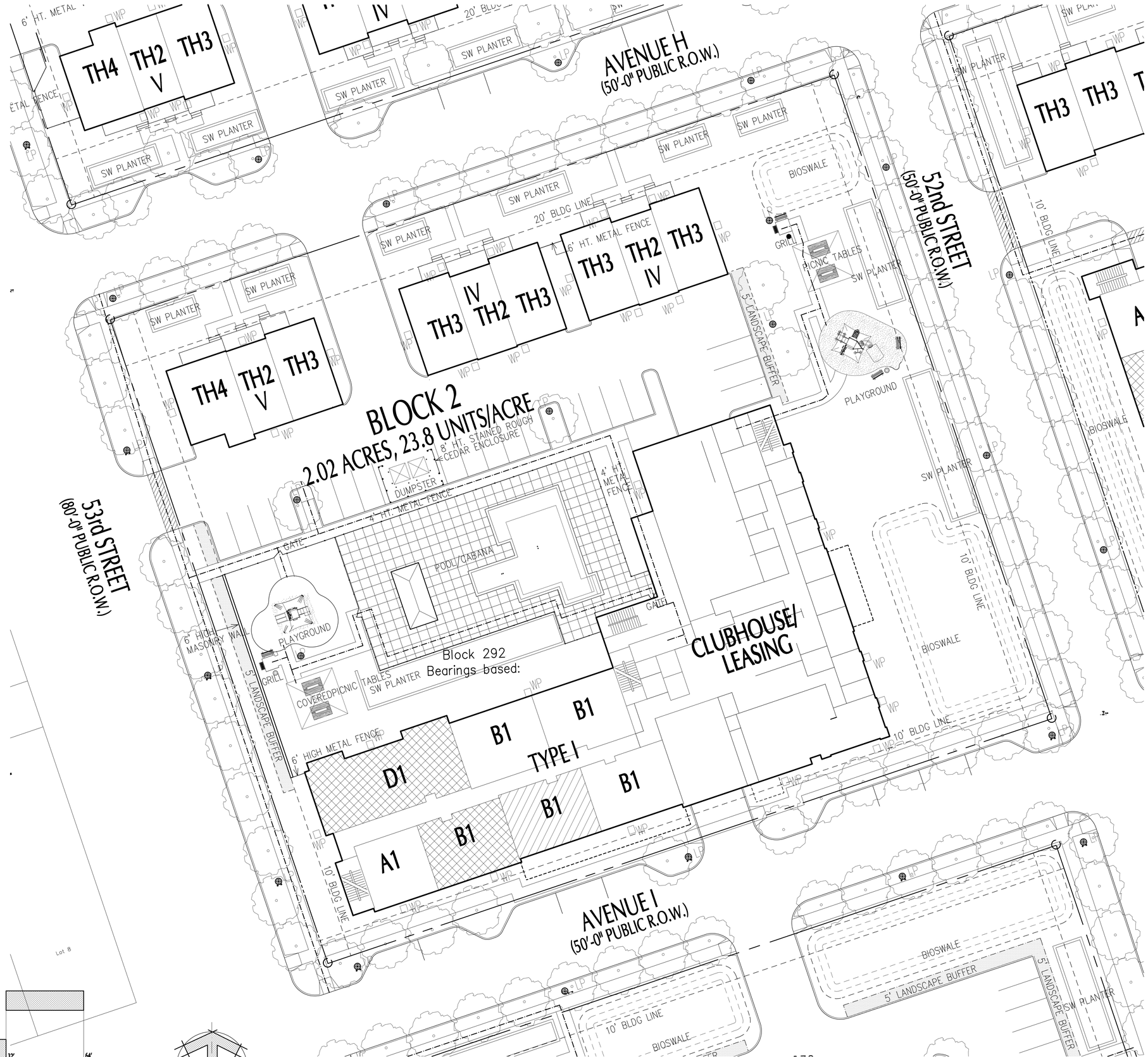
PROJECT NO. 080820-SR-1

SHEET NO. A-1.02



FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

—— · —— ACCESSIBLE ROUTE

UNIT MIX BLOCK 2:

TYPE I	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	1	6	6	13	33%
UNIT B1	976 S.F.	5	9	9	23	59%
UNIT C1	1218 S.F.	0	1	1	2	5%
UNIT D1	1850 S.F.	1	0	0	1	3%
TOTAL		7	16	16	39	100%

UNIT TH-2 1271 S.F. 3 UNITS
UNIT TH-3 1599 S.F. 5 UNITS
UNIT TH-4 1907 S.F. 1 UNIT
TOTAL 9 UNITS TOTAL UNITS BLOCK 2: 48 UNITS
REQUIRED PARKING: 48 UNITS X1.25=60 SPACES
PARKING PROVIDED:
19 SURFACE 2 HC 49 STANDARD GND.COVERED TOTAL 70 SPACES
DENSITY: 23.8 UNITS/ACRE +9 ON STREET SPACES

BLOCK 2

TOTAL SITE AREA: 87,991 S.F.2.02 ACRES
BUILDING FOOTPRINTS:
BUILDING TYPE I: 21,436 S.F.
BUILDING TYPEIV: 2442 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE V: 2559 S.F.
TOTAL FOOTPRINTS: 28643 S.F. S.F.
PAVING AND SIDEWALKS: 14,122 S.F.
POOL AND DECK: 7985 S.F.
PLAYGROUND PICNIC TABLES: 2804 S.F.
PORCHES: 4022 S.F.
GREENSPACE:
BIOSWALES: 4392 S.F.
SW PLANTERS: 3506 S.F.
TOTAL GREENSPACE: 23424 S.F. 27%
TOTAL IMPERMEABLE AREA: 57,576 S.F. 65%

0 4' 8' 16' 32' 64'

01 SITE PLAN BLOCK 2

SCALE: 1/16"=1'-0"

NORTH

DRAWN BY: M.C.P.
CHECKED BY: D.P.H.
DATE: 03.16.2020
ISSUED FOR PERMIT: XX.XX.2020
ISSUE FOR PRICING:
ISSUE FOR CONSTRUCTION: XX.XX.2020
REVISIONS:

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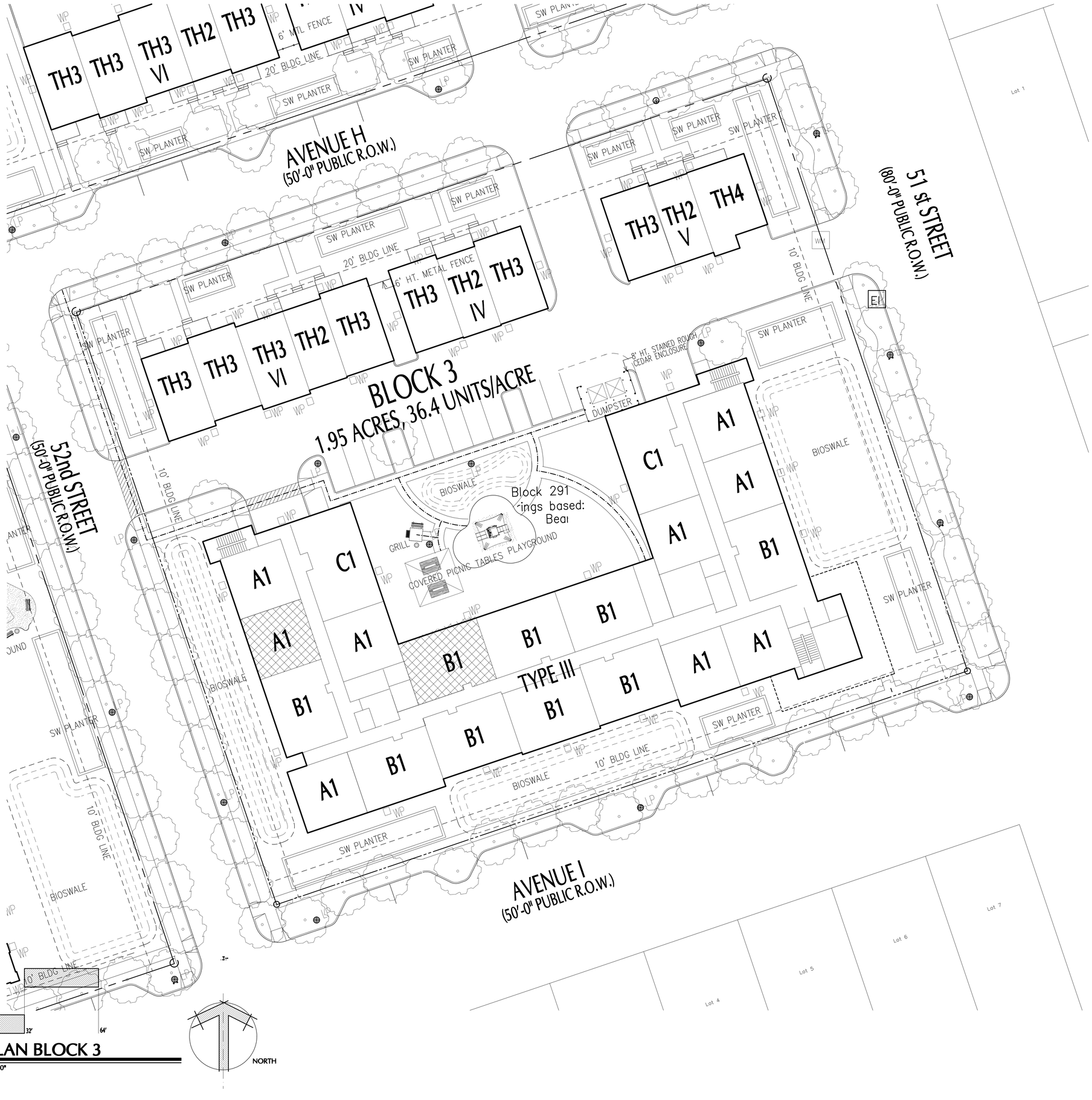
PROJECT NO. 080820-SR-1

SHEET NO. A-1.03



FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

ACCESSIBLE ROUTE

UNIT MIX BLOCK 3:

TYPE III	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	9	9	9	27	45%
UNIT B1	976 S.F.	9	11	11	31	52%
UNIT C1	1218 S.F.	2	0	0	1	3%
TOTAL		20	20	20	60	100%

UNIT TH-2 1271 S.F. 3 UNITS
UNIT TH-3 1599 S.F. 7 UNITS
UNIT TH-4 1907 S.F. 1 UNIT
TOTAL 11 UNITS TOTAL UNITS BLOCK 3: 71UNITS
REQUIRED PARKING: 71 UNITS X 1.25=89 SPACES
PARKING PROVIDED:
10 SURFACE 3 HC 74 STANDARD GND.COVERED TOTAL 87 SPACES
DENSITY: 36.4 UNITS/ACRE +9 ON STREET SPACES

BLOCK 3
TOTAL SITE AREA: 85,942 S.F. 1.95 ACRES
BUILDING FOOTPRINTS:
BUILDING TYPE III: 25,251 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE V: 2559 S.F.
BUILDING TYPE VI:4154 S.F.
TOTAL FOOTPRINTS: 33,255 S.F.
PAVING AND SIDEWALKS: 15,720 S.F.
PLAYGROUNDS/PICNIC TABLES: 1181 S.F.
PORCHES: 1930 S.F.
GREENSPACE:
BIOSWALES: 8747 S.F.
SW PLANTERS: 5857 S.F.
TOTAL GREENSPACE: 33,346 S.F.39%
TOTAL IMPERMEABLE AREA: 52086 S.F. 61%

0 4' 8' 16' 32' 64'

01 SITE PLAN BLOCK 3

SCALE: 1/16"=1'-0"

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CHECKED BY: D.P.H.
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OLEANDER MULTI-FAMILY
APARTMENTS & TOWNHOMES
A 315 UNIT DEVELOPMENT
GALVESTON, TEXAS

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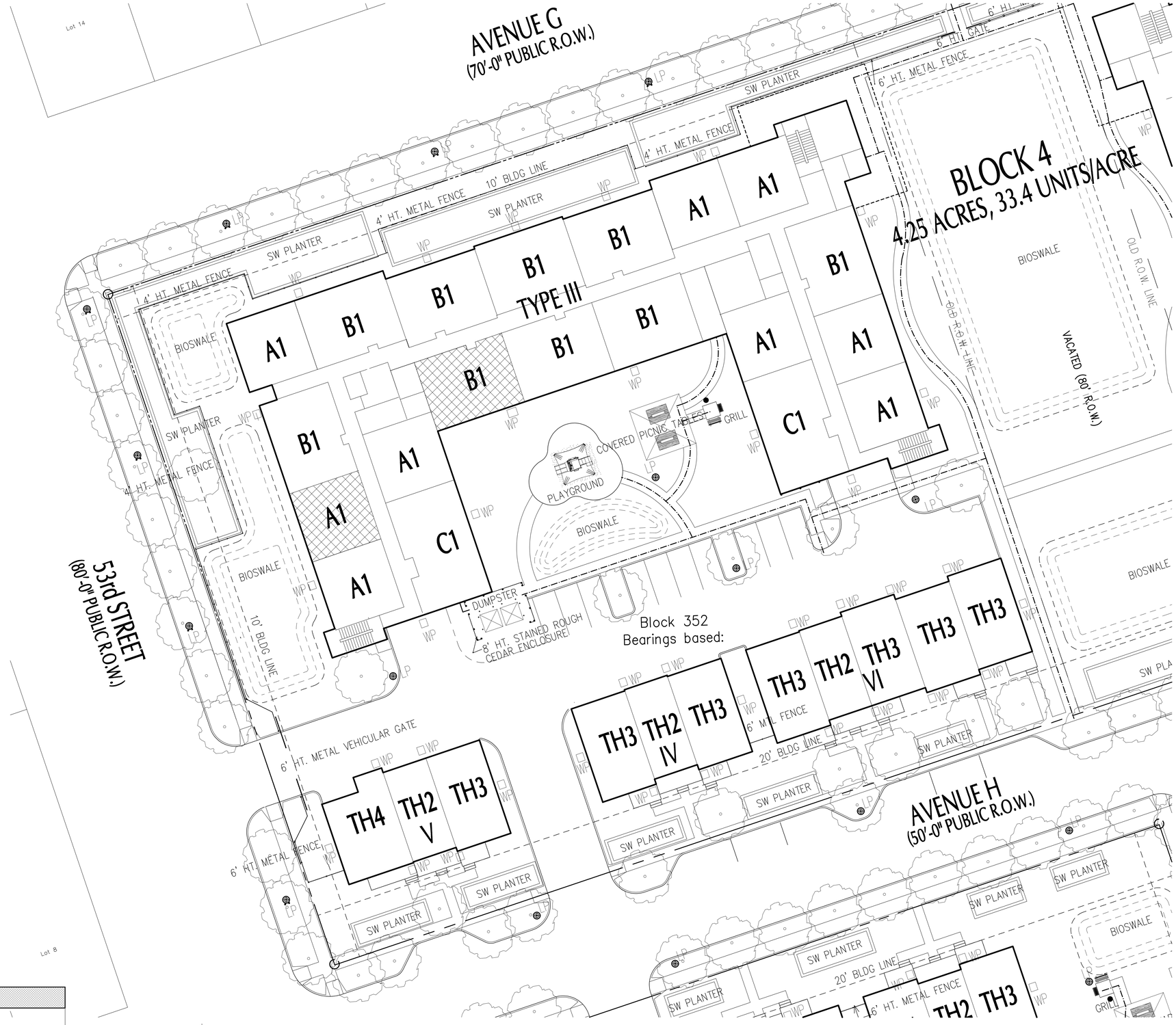
PROJECT NO. 080820-SR-1

SHEET NO. A-1.04



FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

ACCESSIBLE ROUTE

UNIT MIX BLOCK 4:

TYPE III	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	9	9	9	27	45%
UNIT B1	976 S.F.	9	11	11	31	52%
UNIT C1	1218 S.F.	2	0	0	1	3%
TOTAL		20	20	20	60	100%

UNIT TH-2 1271 S.F. 6 UNITS
UNIT TH-3 1599 S.F. 14 UNITS
UNIT TH-4 1907 S.F. 2 UNIT
TOTAL 22 UNITS
2 TYPE III BUILDINGS =120 UNITS
TOTAL UNITS BLOCK 4: 142 UNITS
REQUIRED PARKING: 142 UNITS X 1.25=178 SPACES
PARKING PROVIDED:
20 SURFACE 6 HC 148 STANDARD GND.COVERED TOTAL: 174 SPACES
DENSITY: 33.4 UNITS/ACRE + 14 ON STREET

BLOCK 4

TOTAL SITE AREA: 185,130 S.F. 4.25 ACRES
BUILDING FOOTPRINTS:
BUILDING TYPE III: 25,251 S.F.
BUILDING TYPE III: 25,251 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE V: 2559 S.F.
BUILDING TYPE V: 2559 S.F.
BUILDING TYPE VI: 4154 S.F.
BUILDING TYPEVI: 4154 S.F.
TOTAL BUILDING FOOTPRINTS: 66,510 S.F.
PAVING AND SIDEWALKS: 32,848 S.F.
PICNIC TABLES: 2461 S.F.
PORCHES: 3841 S.F.
GREENSPACE:
BIOSWALES: 21271 S.F.
SW PLANTERS: 7441 S.F.
TOTAL GREENSPACE: 77 940 S.F. 42%
TOTAL IMPERMEABLE AREA: 105,660 S.F. 57%

0 4' 8' 16' 32' 64'

01 SITE PLAN BLOCK 4 WEST

SCALE: 1/16"=1'-0"

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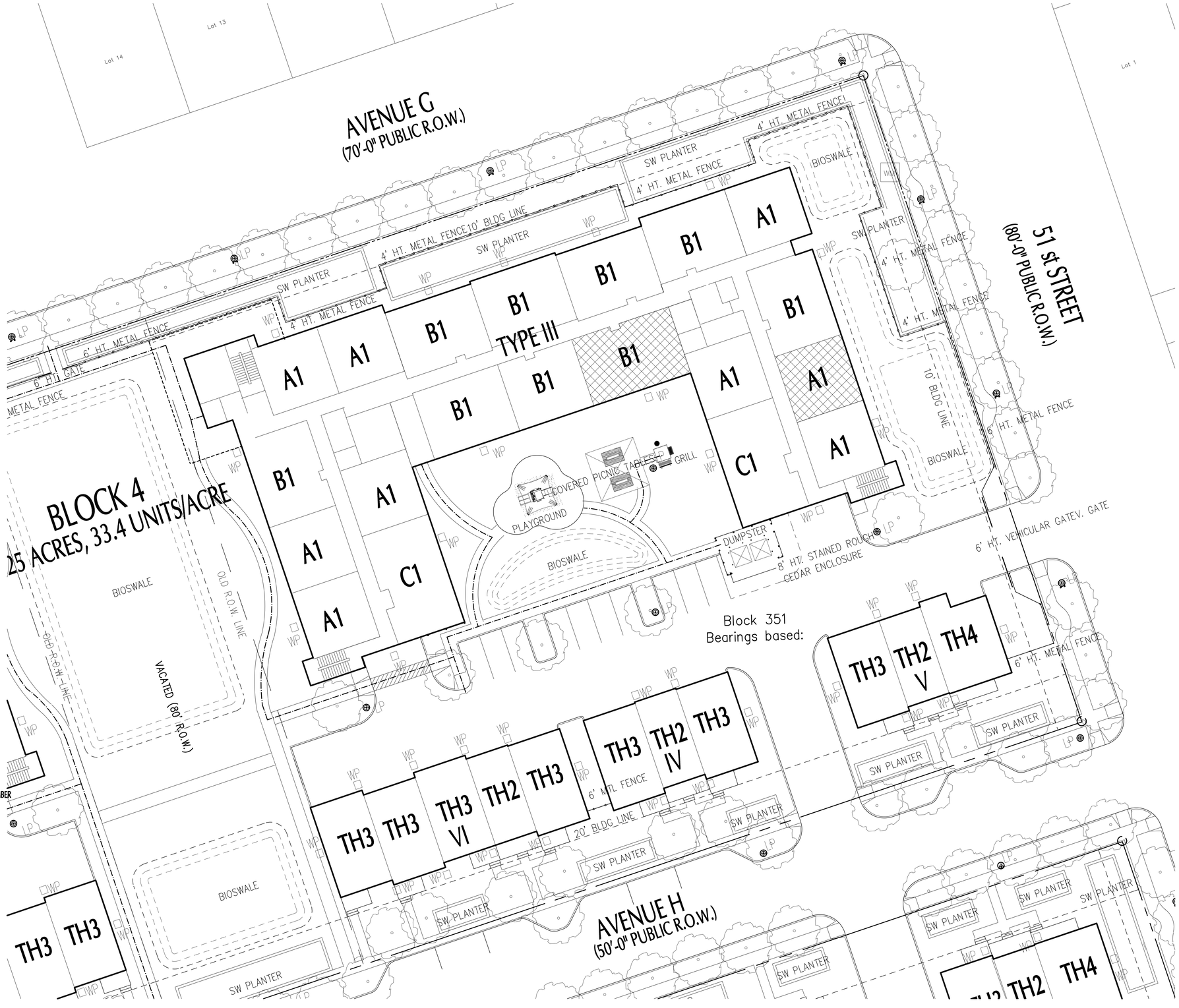
PROJECT NO. 080820-SR-1

SHEET NO. A-1.05



FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR

—·—·— ACCESSIBLE ROUTE

UNIT MIX BLOCK 4:

TYPE III	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	9	9	9	27	45%
UNIT B1	976 S.F.	9	11	11	31	52%
UNIT C1	1218 S.F.	2	0	0	1	3%
TOTAL		20	20	20	60	100%

UNIT TH-2 1271 S.F. 6 UNITS
UNIT TH-3 1599 S.F. 14 UNITS
UNIT TH-4 1907 S.F. 2 UNIT
TOTAL 22 UNITS

2 TYPE III BUILDINGS =120 UNITS
TOTAL UNITS BLOCK 4: 142 UNITS

REQUIRED PARKING: 142 UNITS X 1.25=178 SPACES
PARKING PROVIDED:
20 SURFACE 6 HC 148 STANDARD GND.COVERED TOTAL 174 SPACES SPACES
DENSITY: 33.4 UNITS/ACRE +14 ON STREET

BLOCK 4

TOTAL SITE AREA: 185,130 S.F. 4.25 ACRES
BUILDING FOOTPRINTS:
BUILDING TYPE III: 25,251 S.F.
BUILDING TYPE III: 25,251 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE IV: 2442 S.F.
BUILDING TYPE V: 2559 S.F.
BUILDING TYPE V: 2559 S.F.
BUILDING TYPE VI: 4154 S.F.
BUILDING TYPEVI: 4154 S.F.
TOTAL BUILDING FOOTPRINTS: 66,510 S.F.
PAVING AND SIDEWALKS: 32,848 S.F.
PICNIC TABLES: 2461 S.F.
PORCHES: 3841 S.F.
GREENSPACE:
BIOSWALES: 21271 S.F.
SW PLANTERS: 7441 S.F.
TOTAL GREENSPACE: 77,940 S.F. 42%
TOTAL IMPERMEABLE AREA: 105,660 S.F. 57%

0' 4' 8' 16' 32' 64'

NORTH

01 SITE PLAN BLOCK 4 EAST
SCALE: 1/16"=1'-0"

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OLEANDER MULTI-FAMILY
APARTMENTS & TOWNHOMES
A 315 UNIT DEVELOPMENT
GALVESTON, TEXAS

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PROJECT NO.
080820-SR-1

SHEET NO.
A-1.06

Attachment D

02 PROPOSED RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 43%
STUCCO	= 40%
GLASS	= 12%
OTHER	= 05%
TOTAL	= 100%

01 PROPOSED FRONT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 57%
STUCCO	= 26%
GLASS	= 14%
OTHER	= 03%
TOTAL	= 100%

DRAWN BY: D.P.H./F.S.G.
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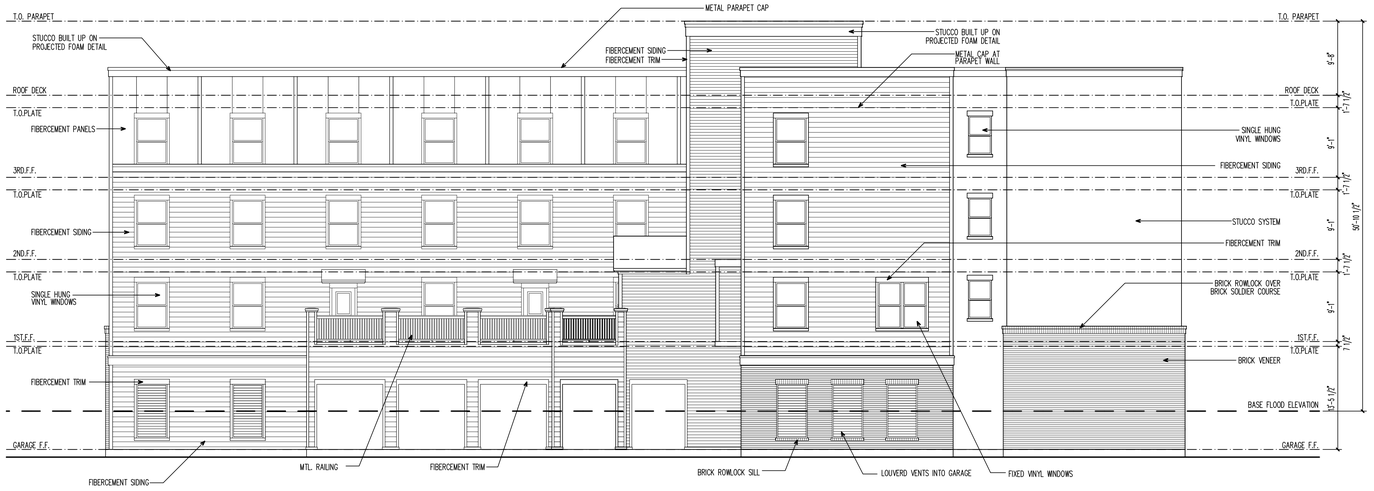
OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 350 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - I

PROJECT NO. 080820-SR-1

SHEET NO. A-0.00



02 PROPOSED REAR ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

SIDING	= 64%
BRICK	= 09%
STUCCO	= 16%
GLASS	= 08%
OTHER	= 03%
TOTAL	= 100%

01 PROPOSED LEFT EL;EVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

BRICK	= 24%
SIDING	= 55%
STUCCO	= 08%
GLASS	= 12%
OTHER	= 01%
TOTAL	= 100%

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OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 350 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - I

PROJECT NO. 080820-SR-1

SHEET NO. A-0.00

02 RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 43%
STUCCO	= 40%
GLASS	= 12%
OTHER	= 05%
TOTAL	= 100%

01 FRONT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 57%
STUCCO	= 26%
GLASS	= 14%
OTHER	= 03%
TOTAL	= 100%

BUILDING TYPE - II

DRAWN BY: D.P.H./F.S.G.
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OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

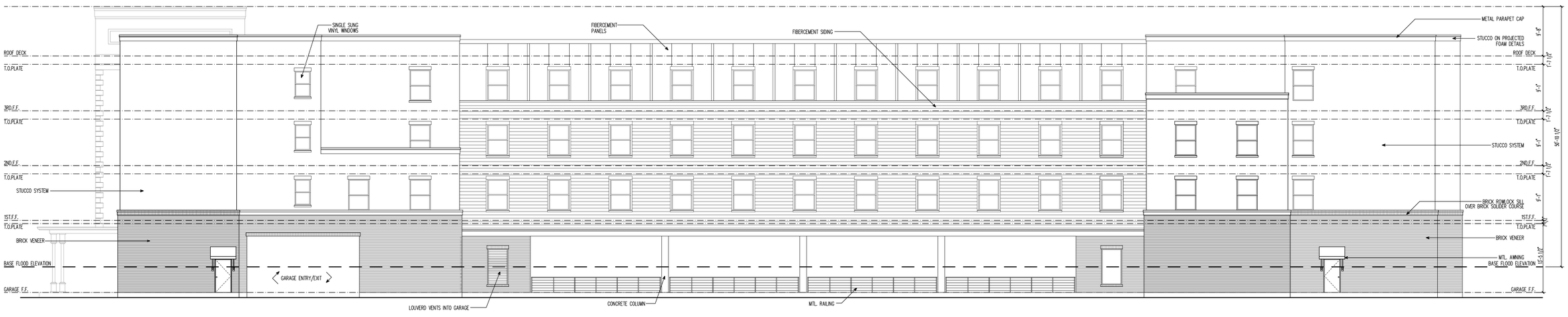
PROJECT NO. 080820-SR-1

SHEET NO. A4.03

02 LEFT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
SIDING	= 64%
BRICK	= 09%
STUCCO	= 16%
GLASS	= 08%
OTHER	= 03%
TOTAL	= 100%



01 REAR/COURTYARD ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 05%
SIDING	= 49%
PANELS	= 31%
GLASS	= 14%
OTHER	= 01%
TOTAL	= 100%

BUILDING TYPE - II

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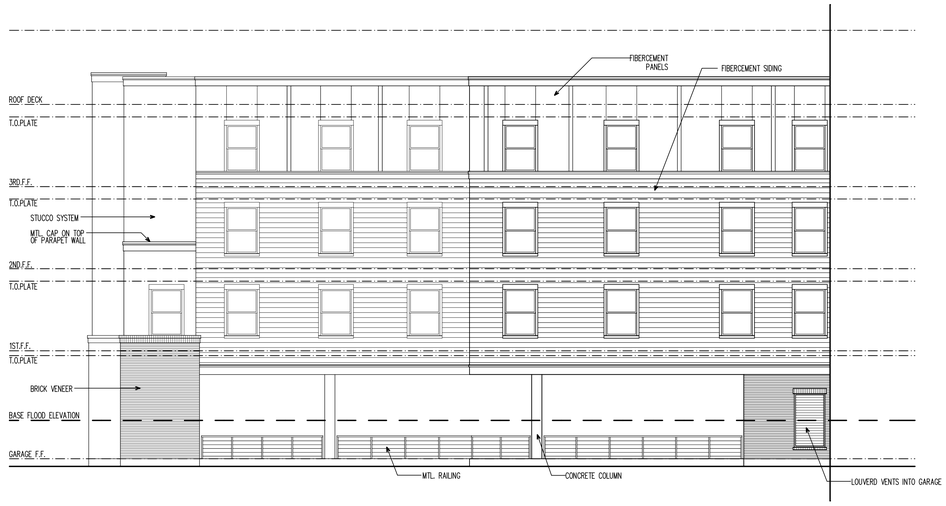
OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

PROJECT NO. 080820-SR-1

SHEET NO. A4.04

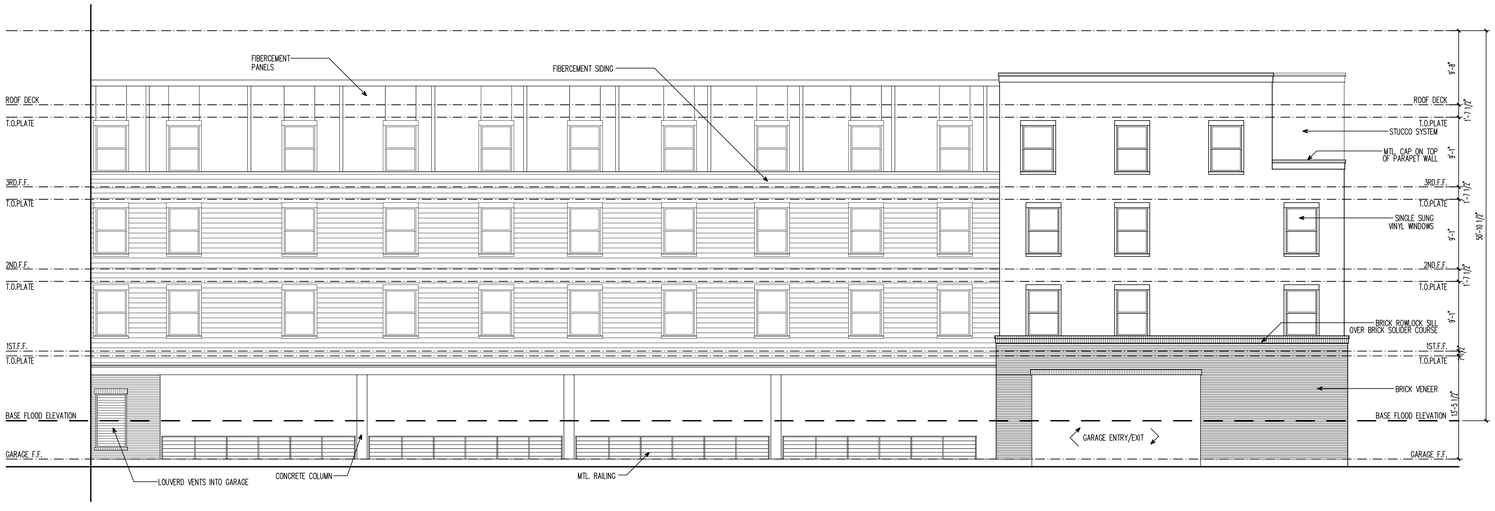


02 INTERIOR/COURTYARD LEFT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

SIDING	= 64%
BRICK	= 09%
STUCCO	= 16%
GLASS	= 08%
OTHER	= 03%
TOTAL	= 100%



01 INTERIOR/COURTYARD RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

BRICK	= 05%
SIDING	= 49%
PANELS	= 31%
GLASS	= 14%
OTHER	= 01%
TOTAL	= 100%

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OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - II

PROJECT NO. 080820-SR-1

SHEET NO. A-0.00

03 LEFT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 37%
STUCCO	= 47%
GLASS	= 11%
OTHER	= 05%
TOTAL	= 100%

02 RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 55%
STUCCO	= 30%
GLASS	= 15%
OTHER	= 05%
TOTAL	= 100%

01 FRONT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:	
BRICK	= 40%
STUCCO	= 41%
GLASS	= 13%
OTHER	= 06%
TOTAL	= 100%

BUILDING TYPE - III

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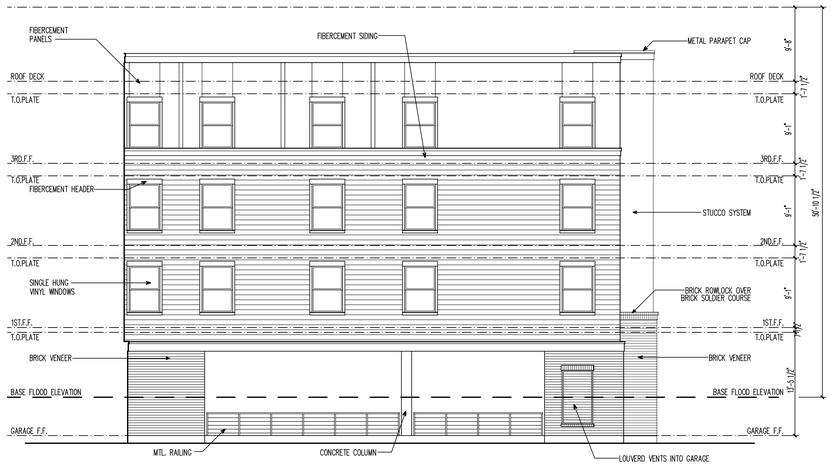
OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 351 UNIT DEVELOPMENT
GALVESTON, TEXAS

PROJECT NO. 080820-SR-1

SHEET NO. A-0.00

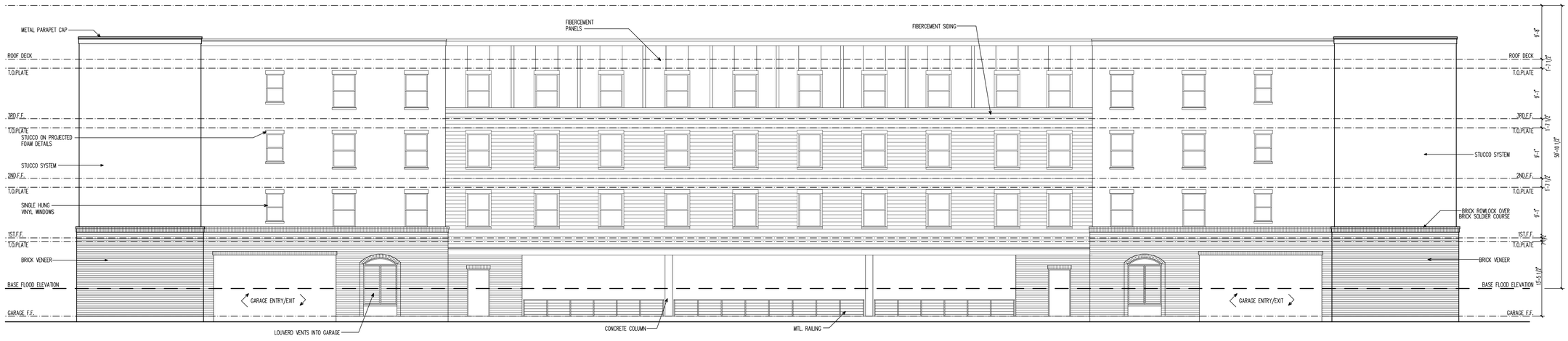


02 INTERIOR COURTYARD LEFT/RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

BRICK	= 05%
SIDING	= 49%
PANELS	= 31%
GLASS	= 14%
OTHER	= 01%
TOTAL	= 100%



01 REAR/COURTYARD ELEVATION

SCALE: 1/8" = 1'-0"

MATERIAL COMP.:

BRICK	= 05%
SIDING	= 49%
PANELS	= 31%
GLASS	= 14%
OTHER	= 01%
TOTAL	= 100%

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OLEANDER HOMES
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A 351 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - III

PROJECT NO. 080820-SR-1

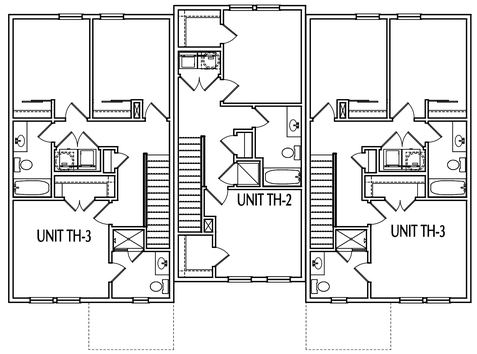
SHEET NO. A-0.00

05 PROPOSED FRONT ELEVATION - B

SCALE: 1/8" = 1'-0"

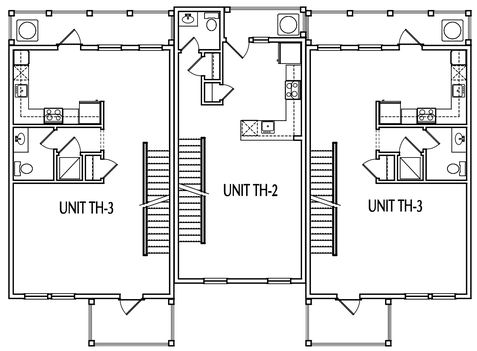
04 PROPOSED FRONT ELEVATION - A

SCALE: 1/8" = 1'-0"



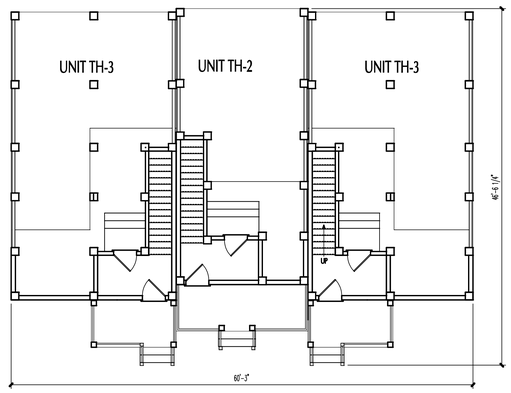
03 SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



02 FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



01 GROUND FLOOR PLAN

SCALE: 1/8" = 1'-0"

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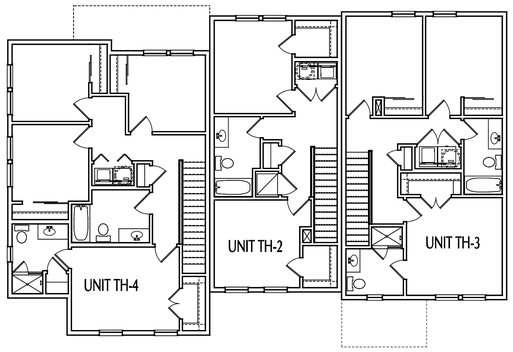
OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - IV

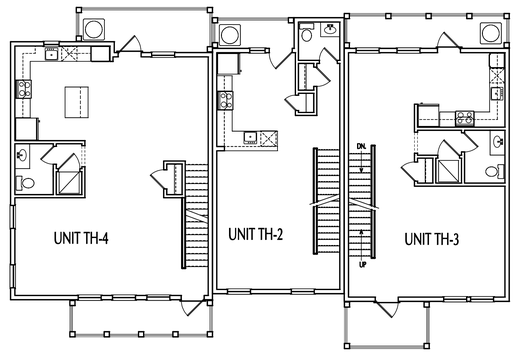
PROJECT NO. 080820-SR-1

SHEET NO. A-0.00



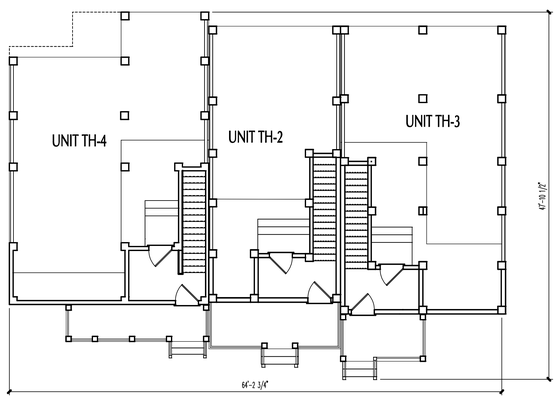
03 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

05 PROPOSED FRONT ELEVATION - B
SCALE: 1/8" = 1'-0"



02 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

04 PROPOSED FRONT ELEVATION - A
SCALE: 1/8" = 1'-0"



01 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

DRAWN BY: D.P.H./F.S.G.
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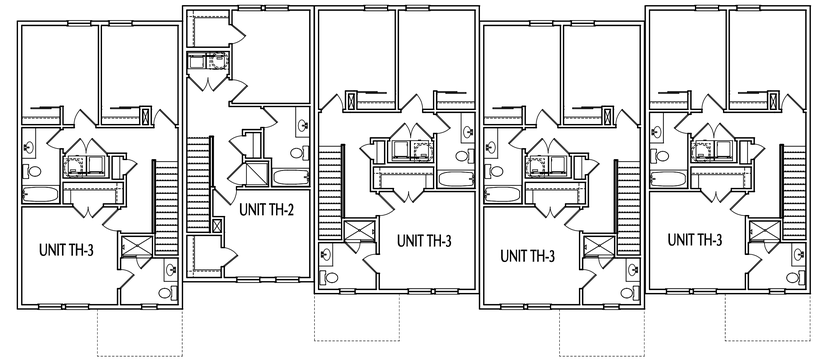
OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

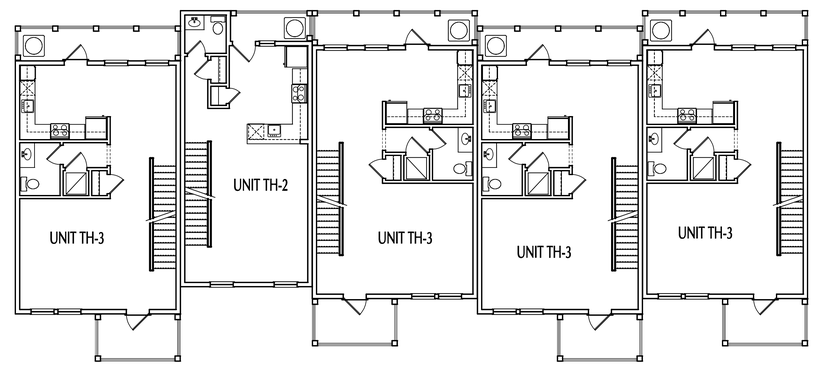
BUILDING TYPE - V

PROJECT NO.
080820-SR-1

SHEET NO.
A-0.00

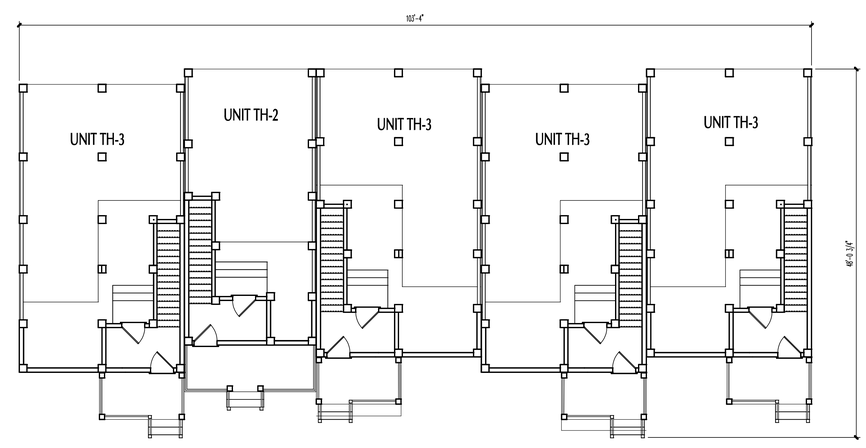


03 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



02 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

04 PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'-0"



01 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

DRAWN BY: D.P.H./F.S.G.
CHECKED BY: R.P.G.
DATE: 03.16.2020
ISSUED FOR PERMIT:
XX.XX.2020
ISSUE FOR PRICING:
ISSUE FOR CONSTRUCTION:
XX.XX.2020
REVISIONS:

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OLEANDER HOMES
APARTMENTS & TOWNHOMES
A 348 UNIT DEVELOPMENT
GALVESTON, TEXAS

BUILDING TYPE - VI

PROJECT NO.
080820-SR-1

SHEET NO.
A-0.00

WALKER CONSULTANTS

MEMORANDUM

OLEANDER SITE REDEVELOPMENT PLAN SPECIAL PARKING STUDY

PROJECT #25-2430.00

DATE:	May 4, 2020
TO:	Catherine Gorman, AICP
COMPANY:	City of Galveston
ADDRESS:	823 Rosenberg, Room 401
CITY/STATE:	Galveston, TX 77550
COPY TO:	Monique Chavoya (MBS), Sonia Poyo (MBS)
FROM:	Jeff Weckstein
PROJECT NAME:	Oleander Site Redevelopment Plan Special Parking Study
PROJECT NUMBER:	25-2430.00

BACKGROUND

McCormack Baron Salazar (MBS) is partnering with the Galveston Housing Authority (GHA) to redevelop the Oleander Site Redevelopment Plan in Galveston, Texas. The site was formerly Oleander Homes, a public housing site destroyed by Hurricane Ike in 2008. The project site is bounded by Broadway, Avenue G, 51st Street and 53rd Street. The proposed project includes approximately 348 mixed-income apartment dwelling units.

MBS is seeking a reduction in the City's minimum parking requirement for apartment dwelling units, which is currently 1.5 spaces per dwelling unit. The City of Galveston Land Development Regulations (LDRs) require submittal of a parking study (per Sec 8.202) to justify requested parking reductions. Section 8.202 requires documentation of at least five functionally comparable uses in the City including name, function, location, parking availability, access to transportation network, use restrictions, hours of operation, and other factors that could affect the parking demand.

MBS has retained Walker Consultants ("Walker") to prepare the City-required parking study. The purpose of this memorandum is to provide an overview of the comparable sites, an evaluation of peak parking demand for each of the selected comparable sites, and a determination of an appropriate parking supply ratio for the proposed Oleander Site Redevelopment Plan.

COMPARABLE PROPERTIES - DISCUSSION

Walker, in partnership with MBS, selected six potentially comparable residential properties to analyze for the purposes of selecting at least five properties to conduct an evaluation of peak parking demand. The selected properties have the following characteristics:

- Property is located within the City of Galveston;
- Property is a multi-family residential building with at least 100 units;
- Residential units are for-rent apartment units;
- At least a portion of the residential units are affordable (income restricted); and
- On-site parking is provided.

Walker prepared a summary table (Table 1 on page 3) of the comparable properties with the following information:

- Property Name
- Property Address
- Number of residential units by bedroom size
- Approximate number of parking spaces[1]
- Walk Score[2] – An online tool that measures the walkability of any address. For each address, Walk Score analyzes hundreds of walking routes to nearby amenities. Points are awarded based on the distance to amenities in each category. Amenities within a 5-minute walk (.25 miles) are given maximum points. A decay function is used to give points to more distant amenities, with no points given after a 30-minute walk. Walk Score also measures pedestrian friendliness by analyzing population density and road metrics such as block length and intersection density. Data sources include Google, Factual, Great Schools, Open Street Map, the U.S. Census, Localeze, and places added by the Walk Score user community. Walk Scores are provided in a range between 0-100, as follows:
    - 90–100 Walker's Paradise - Daily errands do not require a car.
    - 70–89 Very Walkable – Most errands can be accomplished on foot.
    - 50–69 Somewhat Walkable - Some errands can be accomplished on foot.
    - 25–49 Car-Dependent – Most errands require a car.
    - 0-24 Car Dependent – Almost all errands require a car.
- Bike Score[3] – An online tool that measures whether a given area is good for biking. For a given location, a Bike Score is calculated by measuring bike infrastructure (lanes, trails, etc.), hills, destinations and road connectivity, and the number of bike commuters. These component scores are based on data from the USGS, Open Street Map, and the U.S. Census. Bike scores are provided in a range between 0-100, as follows:
    - 90–100 Biker's Paradise - Daily errands can be accomplished on a bike.
    - 70–89 Very Bikeable - Biking is convenient for most trips.
    - 50–69 Bikeable - Some bike infrastructure.
    - 0–49 Somewhat Bikeable - Minimal bike infrastructure.
- Transit Access - Proximity of comparable sites to transit stops, including:
    - Island Transit, which offers multiple bus routes that circulate within the City of Galveston.
    - Galveston Island Trolley, a historic trolley system, which includes two routes: The Seawall Loop and Downtown Loop.
    - The Galveston Amtrak Bus Stop provides connector service to Amtrak train lines.
- Proximity to Highways – Proximity of comparable sites to a highway or freeway (State Route 87, Seawall Boulevard, Highway 45).

[1] Number of surface parking spaces approximations using Google Earth Professional, 2020. Parking inventory will be verified once data collection is completed.

[2] Data source: https://www.walkscore.com/methodology.shtml

[3] Data source: https://www.walkscore.com/methodology.shtml

Table 1: Oleander Site Redevelopment Plan Comparable Properties Summary

Property Name	Property Address	Number of Residential Units by Bedroom Count					Parking Spaces	Walk Score[1] (out of 100)	Bike Score[1] (out of 100)	Transit Stops within approximately 1 Mile[2]	Proximity to Highway
		1	2	3	4	Total Units					
Oleander Homes	5228 Broadway, Galveston, TX 77551	130	179	34	5	348	435	45	55	Island Transit Bus Stop - < 0.25 miles	State Rte 87 - < 0.25 miles
Villas on the Strand	1524 Avenue B, Galveston, TX 77550	40	88	32	0	160	238	66	67	Island Transit Bus Stop - < 0.25 miles Galveston Island Trolley - 0.25-0.5 miles Amtrak bus station - 0.75-1 miles	State Rte 87 - 0.75-1 miles
Cedars at Carver Park	2915 Ball Street, Galveston, TX 77550	13	68	41	0	122	169	75	69	Island Transit Bus Stop - < 0.25 miles Galveston Island Trolley - 0.25-0.5 miles Amtrak bus station - 0.75-1 miles	State Rte 87 - < 0.25 miles
Seaport Village	7200 Heards Lane, Galveston, TX 77551	48	144	0	0	192	265	38	50	Island Transit Bus Stop - less than 0.25 miles Galveston Island Trolley - 0.75-1 miles	Seawall Blvd - 1-1.25 miles Highway 45 - 1.25-1.5 miles
The Park at Cedar Lawn	4400 Avenue N, Galveston, TX 77550	92	92	3	2	189	253	62	60	Island Transit Bus Stop - less than 0.25 miles	State Rte 87 - 0.25-0.5 miles
Ashton Place Apartments	3219 69th Street, Galveston, TX 77551	62	100	10	0	172	146	53	55	Island Transit Bus Stop - less than 0.25 miles Galveston Island Trolley - 0.25-0.5 miles	Seawall Blvd - 0.25-0.5 miles
Champion Homes at Marina Landing Galveston (Parc at Marina Landing)	7302 Avenue P 1/2, Galveston, TX 77551	112	144	0	0	256	381	33	41	Island Transit Bus Stop - less than 0.25 miles Galveston Island Trolley - 0.75-1 miles	Seawall Blvd - 1.25-1.5 miles Highway 45 - 1.25-1.5 miles

Source: Walker Consultants, 2020.

COMPARABLE PROPERY SELECTION AND CONCLUSION

It is Walker's opinion that all of the six potential comparable sites would provide useful comparison and data for the proposed Oleander Site Redevelopment Plan. Based on review of each site, it is Walker's opinion that the Cedars at Carver Park is a slightly less apt comparable property for the following reasons:

- The property has fewer apartment units than the other five properties and the proposed Oleander Site Redevelopment Plan;
- The ratio of one to two bedrooms is lower than for the other properties; and
- The Walk Score and Bike Score are both higher than all the other properties and the proposed Oleander Site Redevelopment Plan.

COMPARABLE PROPERTY DATA COLLECTION

Walker verified the existing parking inventory at the comparable sites and collected parking demand data on one evening at each site on either Thursday April 16, Friday April 17, or Saturday April 18, 2020.

While the ongoing Covid-19 pandemic has changed travel patterns and daily activity, given the current City of Galveston order mandating that citizens stay in place in their residences, residential parking demand is generally unaffected/higher than normal for most hours of the day. However, essential services are still open and essential workers are still out to some extent during the day.

Data was collected at the comparable sites either at/after 9:00 PM, or earlier in the day such as late afternoon, due to the hours of operation of the parking management firms at the comparable properties. In some instances, the time of the counts was constrained by the times at which property management was willing to provide site access to Walker staff to collect data.

To present a conservative analysis, Walker reviewed the time of day factors for multi-family residential in the 3rd Edition Urban Land Institute Shared Parking Model and adjusted the collected data to simulate peak overnight demand. The multi-family residential presence factor at 9:00 PM is 85%; data collected at or after 9:00 PM was adjusted by a factor of 1.176 (100%/85%). Data collected in the late afternoon was adjusted by a factor of 1.429 (100%/70%).

Table 2 summarizes the results of the data collection, including adjustments made to the base data. At each property, after adjustments for time of day factors, parking demand was less than one vehicle per unit.

During the fieldwork, Walker staff had the opportunity to speak with, at an appropriate social distance, several residents of each comparable development. Anecdotally, no parking problems or issues with finding parking was reported by these residents during these conversations.

The inclusion or exclusion of the comparable property deemed slightly less comparable, Cedars at Carver Park, does not materially change the results of the analysis.

Table 2: Comparable Site Data Collection

Property Name	Units	Total Bedrooms	Parking Spaces	Data Collection Time	Unadjusted Parking Demand	Adjustment Factor	Adjusted Overnight Parking Demand	Parking Demand/ Unit	Parking Demand/ Bedroon
Villas on the Strand	160	312	238	9:00 PM	87	1.18	102	0.64	0.33
Cedars at Carver Park	122	272	169	9:30 PM	88	1.18	104	0.85	0.38
Seaport Village	192	336	265	4:00 PM	122	1.43	174	0.91	0.52
The Park at Cedar Lawn	189	293	253	5:00 PM	164	1.43	164	0.87	0.56
Ashton Place Apartments	172	292	146	4:00 PM	85	1.43	121	0.70	0.41
Champion Homes at Marina Landing Galveston (Parc at Marina Landing)	256	400	381	9:00 PM	141	1.18	166	0.65	0.42
							Average	*0.76*	*0.44*
							Average excluding Cedars at Carver Park	0.75	0.45

Source: Walker Consultants, 2020.

AFFORDABLE HOUSING PARKING RESEARCH

Several cities have conducted large scale affordable housing parking studies. A 2019 study in the Boston Metro area indicated a parking demand ratio of 0.55 parking spaces per unit in affordable developments[4]. A study in the City of San Diego indicated that parking demand per unit at affordable housing developments was half that of market-rate developments[5]. In 2015, the state of California signed Assembly Bill 44, which allows developers to request reduced minimum parking requirements, to as low as 0.50 spaces per unit, for affordable housing projects[6]. Minneapolis, MN reduced parking requirements in certain instances in 2015[7], and eliminated minimum parking requirements entirely in 2018[8].

Walker also researched available census data related to means of transportation to work for residents of Galveston. Based on 2018 5-year estimates, approximately 86% of the residents of Galveston drive to work when driving alone and carpooling are combined. Galveston is more auto dependent than several of the large cities that have reduced or eliminated parking requirements for affordable housing projects; however, the data collected at the comparable properties indicates that a reduction from the City's minimum parking requirements is warranted.

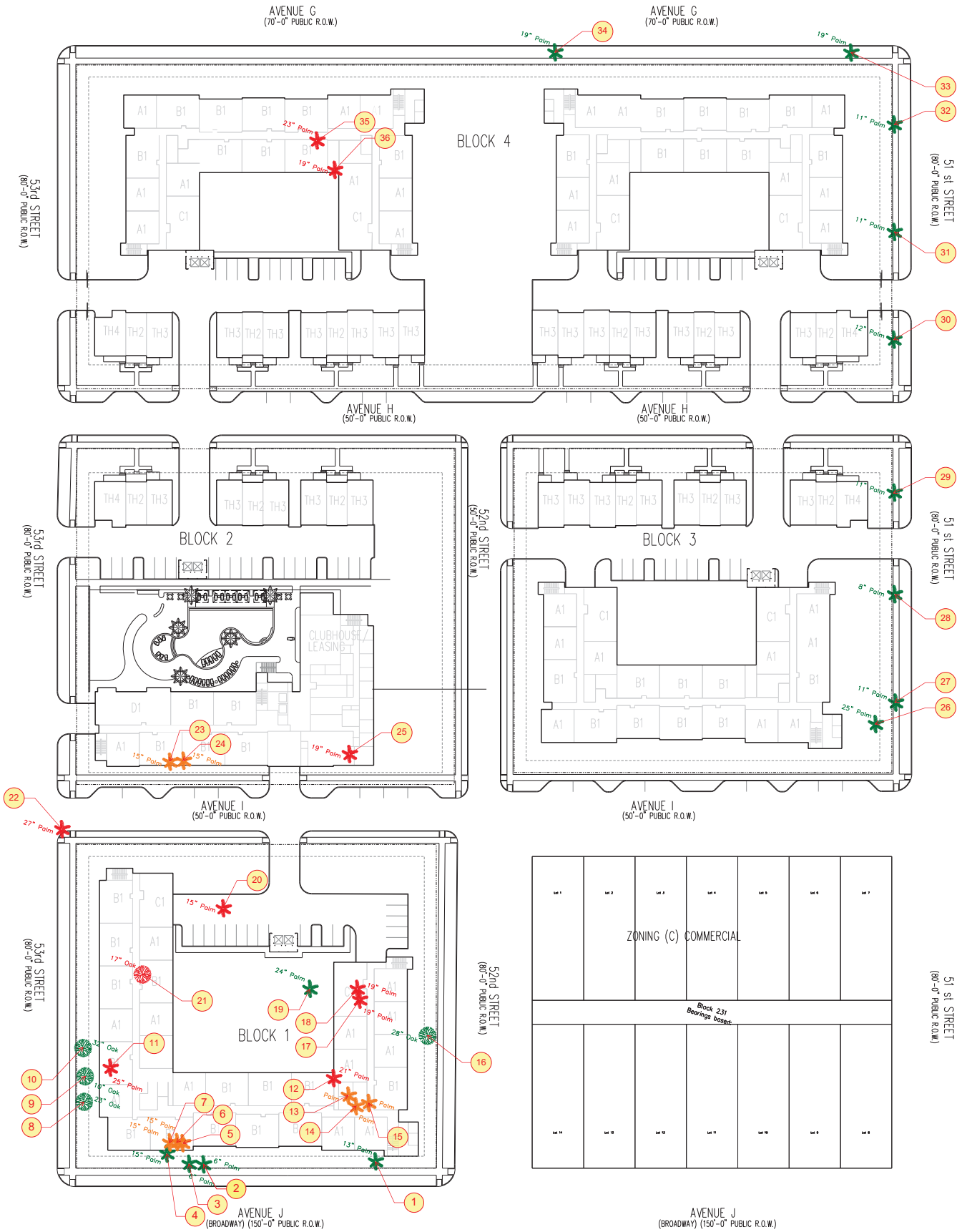
[4] *Metro Boston Perfect Fit Parking Initiative Phase II Report*, Metropolitan Area Planning Council, 2019.
[5] *San Diego Affordable Housing Parking Study*, Wilbur Smith Associates, 2011.
[6] https://smartgrowthamerica.org/california-governor-signs-bill-to-ease-parking-requirements-and-create-more-affordable-housing/
[7] https://www.itdp.org/2016/08/15/affordable-housing-over-parking/
[8] https://usa.streetsblog.org/2018/12/12/minneapolis-moves-to-eliminate-mandatory-parking/

CONCLUSIONS

The proposed Oleander Site Redevelopment Plan will have approximately 348 dwelling units with approximately 610 bedrooms in total. McCormack Baron Salazar (MBS) is proposing to provide approximately 435 parking spaces, which is 1.25 parking spaces per dwelling unit (0.71 spaces per bedroom), which is greater than the observed parking demand, on a per unit and per bedroom basis, at all six of the functionally comparable properties at which Walker collected parking demand data.

Several jurisdictions throughout the Country have reduced or eliminated minimum parking requirements for affordable housing in particular, and residential projects in general as minimum parking requirements are increasingly seen as a barrier to residential developments and inclusionary housing goals. The parking plan proposed by MBS includes a prudent reduction from the City of Galveston's minimum parking requirements that is supported by parking demand observed at functionally comparable properties.

EXHIBIT A
OLEANDER HOMES TREE PRESEVATION AND MITIGATION PLAN



LEGEND

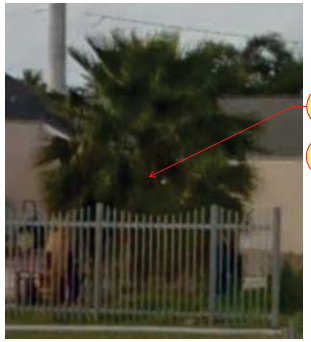
- TREES TO BE PRESERVED IN PLACE
- TREES TO BE PRESERVED AND RELOCATED ON SITE
- TREES TO BE REMOVED (MITIGATION REQUIRED)

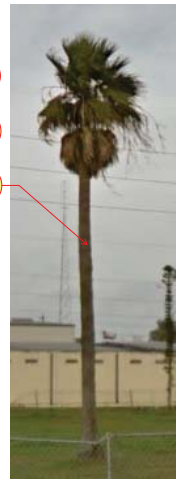
KUDELA & WEINHEIMER

TREE CHART

Tree #	Location	Species	Caliber	Status
1	Block 1	Palm	13"	Preserve
2	Block 1	Palm	6"	Preserve
3	Block 1	Palm	6"	Preserve
4	Block 1	Palm	15"	Preserve
5	Block 1	Palm	15"	Relocate
6	Block 1	Palm	15"	Relocate
7	Block 1	Palm	15"	Relocate
8	Block 1	Oak	23"	Preserve
9	Block 1	Oak	10"	Preserve
10	Block 1	Oak	32"	Preserve
11	Block 1	Palm	25"	Remove
12	Block 1	Palm	21"	Remove
13	Block 1	Palm	15"	Relocate
14	Block 1	Palm	17"	Relocate
15	Block 1	Palm	11"	Relocate
16	Block 1	Oak	28"	Preserve
17	Block 1	Palm	19"	Remove
18	Block 1	Palm	19"	Remove
19	Block 1	Palm	24"	Preserve
20	Block 1	Palm	15"	Remove
21	Block 1	Oak	17"	Remove
22	Block 1	Palm	27"	Remove
23	Block 2	Palm	15"	Relocate
24	Block 2	Palm	15"	Relocate
25	Block 2	Palm	19"	Remove
26	Block 3	Palm	25"	Preserve
27	Block 3	Palm	11"	Preserve
28	Block 3	Palm	8"	Preserve
29	Block 3	Palm	11"	Preserve
30	Block 4	Palm	12"	Preserve
31	Block 4	Palm	11"	Preserve
32	Block 4	Palm	11"	Preserve
33	Block 4	Palm	19"	Preserve
34	Block 4	Palm	19"	Preserve
35	Block 4	Palm	23"	Remove
36	Block 4	Palm	19"	Remove

TREE PICTURES





K&W KUDELA & WEINHEIMER

Exhibit B
Oleander Homes PUD Proposed Landscape Material

Attachment G

PLANT LIST

SYM.	BOTANICAL NAME / COMMON NAME	CAL.	HEIGHT	SPREAD	MIN. ROOT	REMARKS
	TREES					
BC	TAXODIUM DISTICHUM BALD CYPRESS	2 1/2"	9' - 10'	3' - 4'	65 GAL.	FULL, MATCHED, WELL ROOTED, STAKED
LO	QUERCUS VIRGINIANA LIVE OAK	2" - 2 1/2"	12' - 14'	4' - 5'	45 GAL.	MATCHED, WELL ROOTED
MG	MAGNOLIA GRANDIFLORA SOUTHERN MAGNOLIA	2" - 2 1/2"	8' - 10'	4' - 5'	45 GAL.	FULL, MATCHED, WELL ROOTED, STAKED
VT	VITEX AGNUS-CASTUS VITEX	1" - 1 1/4" EA. CANE	8' - 10'	6' - 8'	45 GAL.	MATCHED, WELL ROOTED
WM	MYRICA CERIFERA WAX MYRTLE	1" - 1 1/2" EA. CANE	6' - 7'	5' - 6'	30 GAL.	FULL, MATCHED, WELL ROOTED, STAKED
DDM	MAGNOLIA GRANDIFLORA 'D.D. BLANCHARD' D.D. BLANCHARD MAGNOLIA	2" - 2 1/2"	8' - 10'	4' - 5'	30 GAL.	MATCHED, WELL ROOTED
CM	LAGERSTROEMIA INDICA 'NATCHEZ WHITE' 'NATCHEZ WHITE' CRAPE MYRTLE	1 1/2" - 2" EA.	8' - 10'	3' - 4'	30 GAL.	MATCHED, WELL ROOTED, SINGLE TRUNK
	PALMS					
WP	WASHINGTON ROBUSTA MEXICAN FAN PALM		18' - 20' C.W.	-	B&B	FULL, MATCHED, WELL ROOTED, PEELED
MJ	PHOENIX DACTYLIFERA MEDJOOL PALM		18' - 20' C.W.	-	B&B	FULL, MATCHED, WELL ROOTED, PEELED
	SHRUBS					
DO	NERIUM OLEANDER 'PETITE PINK' DWARF OLEANDER		24"	22"	5 GAL.	FULL, WELL ROOTED 30" O.C.
BB	CALLISTEMON SP. 'LITTLE JOHN' LITTLE JOHN BOTTLEBRUSH		22"	20"	3 GAL.	FULL, WELL ROOTED 30" O.C.
NP	CARISSA MACROCARPA NATAL PLUM		20"	20"	5 GAL.	FULL, WELL ROOTED 30" O.C.
PL	PLUMBAGO AURICULATA PLUMBAGO		20"	20"	5 GAL.	FULL, WELL ROOTED 30" O.C.
CH	RAPHIOLEPIS INDICA 'CLARA' CLARA HAWTHORN		20"	22"	5 GAL.	FULL, WELL ROOTED 30" O.C.
WM	MYRICA PUSILLA DWARF WAX MYRTLE		20"	20"	5 GAL.	FULL, WELL ROOTED 30" O.C.
	GROUNDCOVER					
FF	ASPARAGUS MEYERI FOXTAIN FERN		16"	8"	1 GAL.	FULL, WELL ROOTED 18" O.C.
GM	MUHLENBERGIA CAPILLARIS GULF MUHLY GRASS		20"	24"	1 GAL.	FULL, WELL ROOTED 30" O.C.
WE	WEDILIA TRILOBATA WEDILIA		16"	8"	1 GAL.	FULL, WELL ROOTED 18" O.C.
LI	LIRIOPE MUSCARI LIRIOPE		10"	8"	1 GAL.	FULL, WELL ROOTED 12" O.C.
AN	SEASONAL COLOR				4" POTS	FULL, WELL ROOTED 10" O.C.
	TURF					
	CYNODON DACTYLON COMMON BERMUDA					SOLID SOD

BALD CYPRESS

Taxodium distichum, deciduous

KUDELA & WEINHEIMER

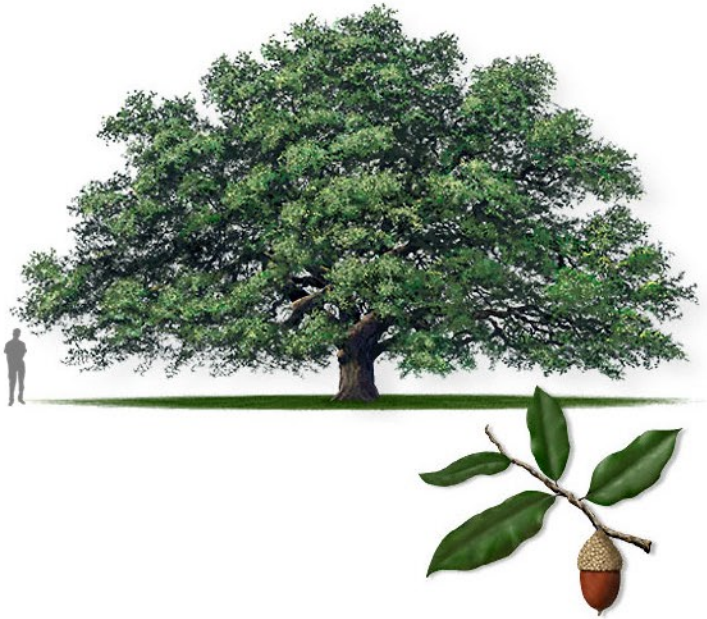
LIVE OAK

Quercus virginiana, evergreen

KUDELA & WEINHEIMER

LIVE OAK

Quercus virginiana, evergreen



KUDELA & WEINHEIMER

SOUTHERN MAGNOLIA

Magnolia grandiflora

VITEX

Vitex agnus-castus

WAX MYRTLE

Myrica cerifera, evergreen

Blooms in spring, berries in fall & winter

KUDELA & WEINHEIMER

DD BLANCHARD MAGNOLIA

Magnolia Grandiflora 'DD Blanchard'

KUDELA & WEINHEIMER

‘NATCHEZ WHITE’ CRAPE MYRTLE

Lagerstroemia indica ‘Natchez White’

KUDELA & WEINHEIMER

MEXICAN FAN PALM

Washingtonia robusta

KUDELA & WEINHEIMER

MEDJOOL PALM

Phoenix dactylifera 'Medjool'

OLEANDER

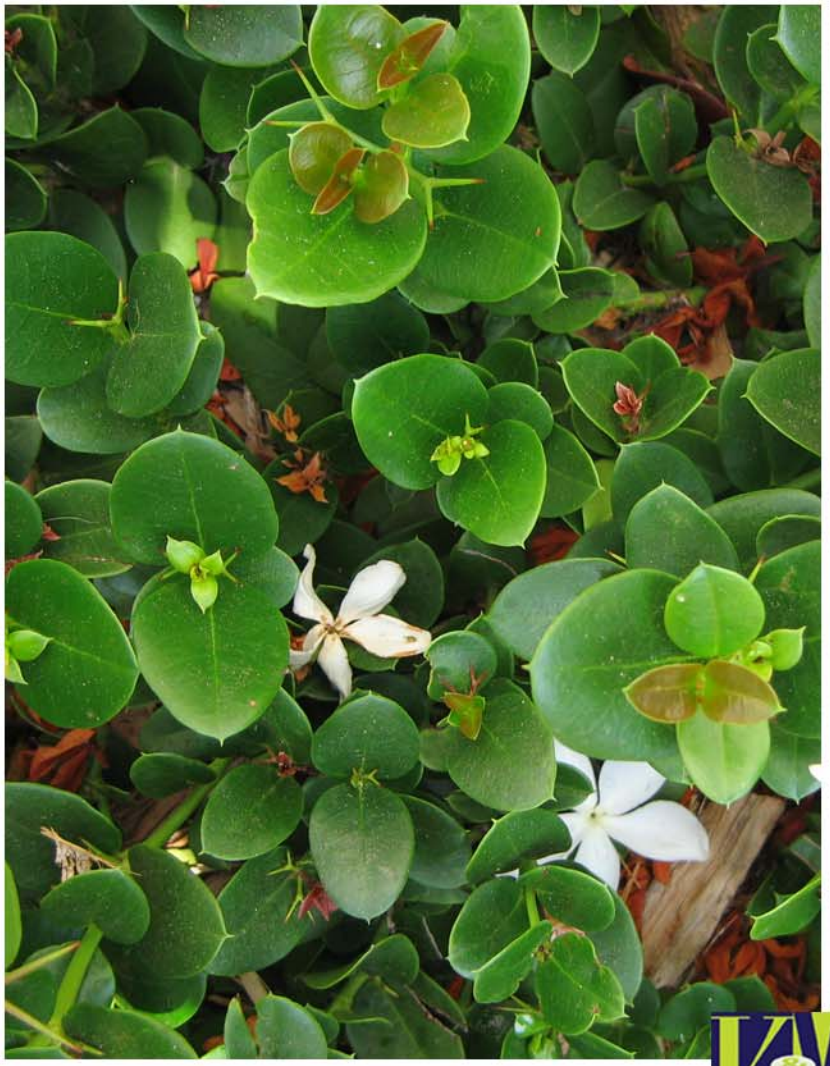
Nerium oleander

LITTLE JOHN BOTTLEBRUSH

Callistemon rigidus ‘Little John’

NATAL PLUM

Carissa grandiflora



PLUMBAGO

Plumbago auriculata

KUDELA & WEINHEIMER

INDIAN HAWTHORNE

Raphiolepis indica, evergreen

Blooms in spring, berries in summer & fall

FOXTAIL FERN

Asparagus meyeri

GULF MUHLY GRASS

Muhlenbergia capillaris

WEDELIA

Wedelia trilobata

DWARF WAX MYRTLE

Myrica pusilla

KUDELA & WEINHEIMER

LIRIOPE

Liriope muscarii

KUDELA & WEINHEIMER

BIOSWALE – channels designed to concentrate and convey stormwater runoff while removing debris and pollution.

Exhibit C
Oleander Homes Stormwater Management Strategies

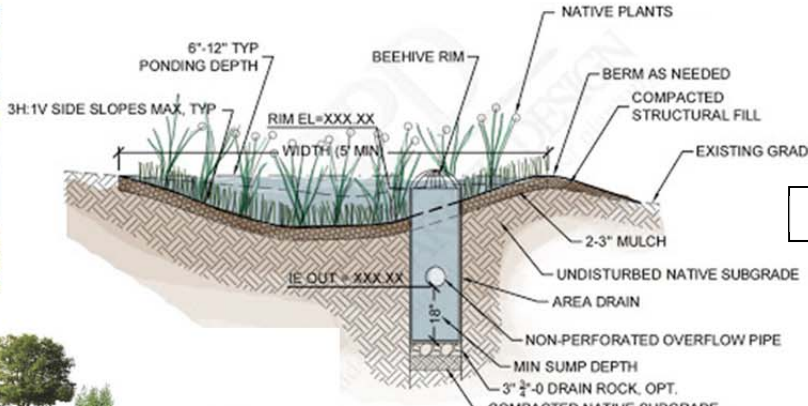
Structured Basin

Natural Channel

Natural Basin

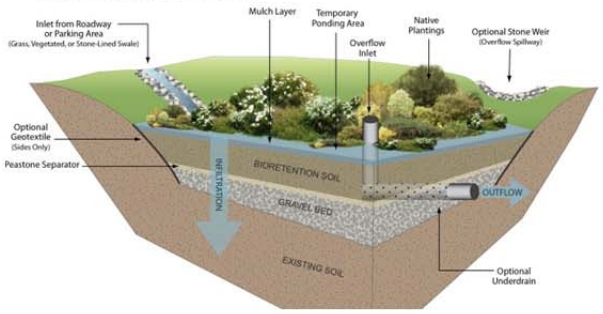
Concept Plan

Roadway/Paving Runoff



Bioswale Construction

System Diagram



Oleander Multi-family

Apartments and Townhomes

Galveston, Texas

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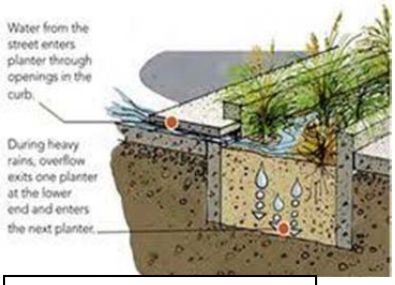
Storm Water Planters – contained vegetated areas that collect stormwater runoff utilizing bioretention practices.

Dry Planter

Railing/Fencing

Native Plantings

Flooded Planter



Planter Construction

Paving Runoff

Block Construction

System Diagram

Oleander Multi-family

Apartments and Townhomes

Galveston, Texas

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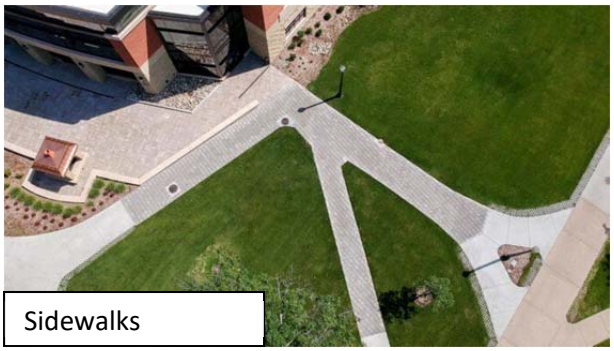
Architecture SpacePlanning Interiors
101 S. Jennings Ave., Suite 100 Fort Worth, Texas 76104 817.332.9477 Fax 817.332.9487 Metro 972.445.6425

PaveDrain Pavers– provides infiltration, storage, detention, conveyance of stormwater; and a concrete paving surface.

Driveways

Parking Spaces

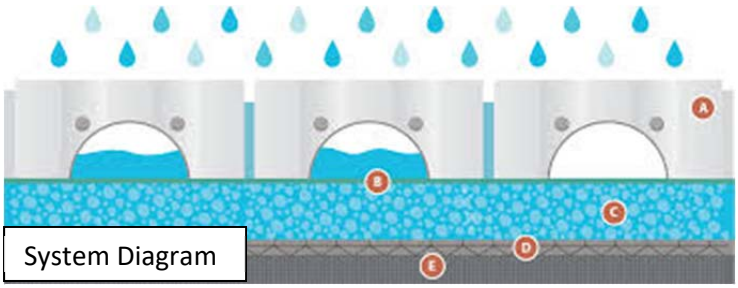


Sidewalks

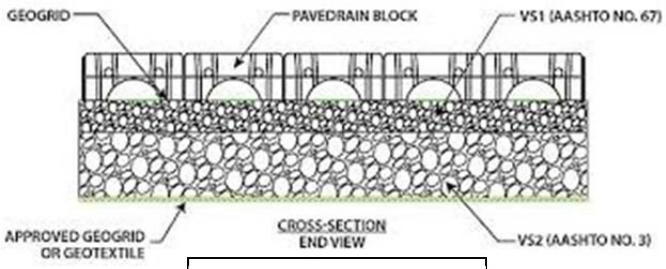
Parking/Sidewalk Placement

Drive and Parking Lot Placement

Drainable Surface



System Diagram



Construction Detail

Oleander Multi-family

Apartments and Townhomes

Galveston, Texas

R P G A
DESIGN GROUP, INC.
Architecture SpacePlanning Interiors
101 S. Jennings Ave., Suite 100 Fort Worth, Texas 76104 817.332.9477 Fax 817.332.9487 Metro 972.445.6425

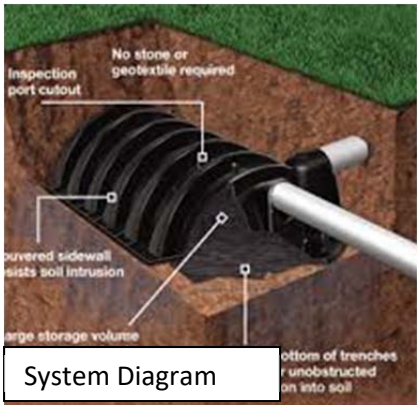
Stormwater Chamber System– provides subsurface structured detention to infiltrate stormwater runoff.

Connected Chambers

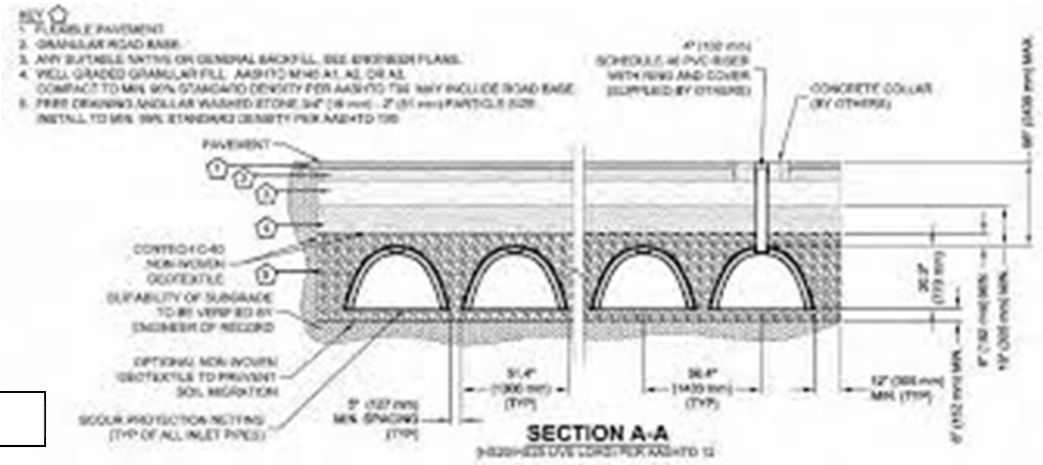
Scalable

Concealed Below Grade

Placed Under Paving and Landscape



System Diagram



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20PA-011 MEMORANDUM

TO: Cate Black, Planning Commission Chair
Planning Commission

FROM: Catherine Gorman, AICP, Assistant Director/HPO
Development Services Department

DATE: June 16, 2020

RE: **20PA-11 (5228 Broadway /Avenue J, 5100 Sealy, Avenue I, and 5215 Winne/Avenue G)**
Request for a recommendation to City Council regarding Public Housing for property commonly known as "Oleander Homes" as required by Article X (2)(7) of the Charter of the City of Galveston. Properties are legally described as M.B. Menard Survey (0-0), Block 232 and the Sourth 1/2 of Adjacent Avenue I; M.B. Menard Survey (0-0), Block 291, 292, and Adjacent Streets; M.B. Menard Survey (0-0), Block 351 and Part of Adjacent Avenue H and 52nd Street; and M.B. Menard Survey (0-0), Block 352 and Part of Adjacent Avenue H and 52nd Street; in the City and County of Galveston, Texas.
Applicant: Michael Saunders, McCormack Baron Salazar, Inc.
Property Owner: The Galveston Housing Authority

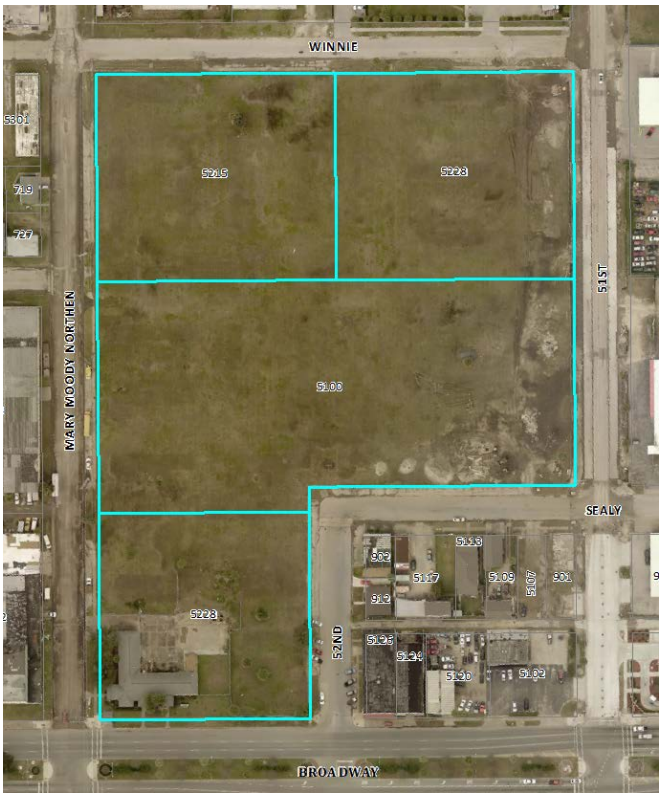
McCormack Baron Salazar, Inc., on behalf of the Galveston Housing Authority, has submitted redevelopment plans for the site formerly known as Oleander Homes for review by the Planning Commission. Per the Galveston City Charter, the Planning Commission has the following Powers and Duties:

ARTICLE X. PLANNING
Section 2. Powers and Duties.
The Planning Commission shall have the following powers and duties:

1. Make, amend, extend, or add to a Master Plan for the physical development of the City;
2. Recommend to the Council approval or disapproval of proposed changes in the zoning plan;
3. Approve or disapprove the platting or subdividing of land within the corporate limits of the City and within adjacent areas as permitted by law;
4. Reserved;
5. Require information from the other departments of the City government in relation to its work;
6. Reserved;
7. **Recommend to the Council approval or disapproval of plans for slum clearance, public housing, and urban re-development and renewal projects.**

This type of request is not commonly heard by the Commission. The last case to be reviewed by the Planning Commission was in 2012 for the Villas on the Strand.

The site is the location of the former Oleander Homes public housing complex. The complex was demolished following Hurricane Ike with the exception of the community center along Broadway.



Subject Location

The site is proposed to be redeveloped as a mixed-income development that will be operated by McCormick Baron Salazar, Inc., who also built and operate the Villas on the Strand and Cedar at Carver Park. This site will have the following unit mix:

- Market rate – 87
- Low Income Housing Tax Credit (LIHTC) – 87
- Public Housing – 174
- Total – 348

The LIHTC will target families earning 65% to 80% of the Area Median Income, which is $78,800. The income limits for the LIHTC vary by income level and household size, Attachment B. For the public housing units, residents pay 30% of their income towards rent. The plans for the site are included as Attachment A.

COMMISSION ACTION:
The Planning Commission may make a motion to recommend approval or disapproval of the public housing plans to the City Council.

The City Council has final determination authority on this request and will hear it on July 23, 2020.

Attachment A

PLAN DEVELOPMENT NOTES:

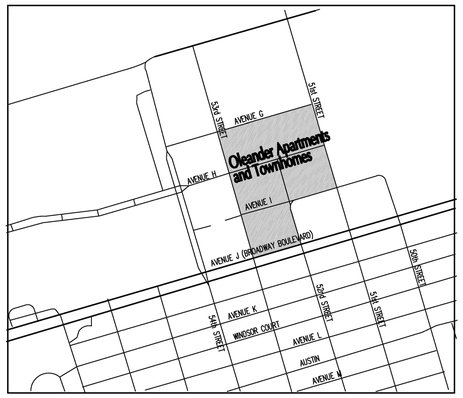
SITE: PROPOSED ZONING CHANGE FROM (C) COMMERCIAL TO "PD" PLANNED DEVELOPMENT

1. DUMPSTER ENCLOSURES TO BE CONSTRUCTED OF STAINED ROUGH CEDAR FENCING WITH TUBE STEEL FRAMING
2. CONDENSING UNITS TO BE LOCATED ON THE ROOF OF THE 4 STORY BUILDINGS. THE TOWN-HOME BUILDINGS ARE TO HAVE CONDENSING UNITS ON THE 2ND LEVEL BALCONIES.
3. ALL LANDSCAPING MUST COMPLY WITH CITY OF GALVESTON LANDSCAPE ORDINANCE ON ACCEPTABLE SPECIES.
4. LAMP POSTS ARE SHOWN ON THE SITE PLAN AND IDENTIFIED AS LP. WALL PACKS ARE SHOWN ON THE PLANS AND IDENTIFIED AS WP. LAMP POSTS ARE TO HAVE FULL CUT-OFF SHIELD WITH HEIGHT OOF 12'-0" MAX. FIXTURE MUST PROVIDE MINIMUM OF 5 FOOTCNDLES AT BASE.
5. WALL PACK LIGHTING TO BE MOUNTED AT 10'-0" ANGLE OF BEAM IS ADJUSTED TO NOT ENCROACH ON ADJACENT PROPERTY. FIXTURE MUST PROVIDE A MINIMUM OF 6 FOOTCANDLES AT SURFACE.

— · — · ACCESSIBLE ROUTE

FULLY ACCESSIBLE UNITS-5% OF TOAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR-TOTAL:7-A1, 8-B1, 1-C1, 1-D1=17 UNITS

VISSION AND HEARING IMPAIRED UNITS-2% OF TOTAL NUMBER OF EACH TYPE OF UNITS-REFER TO BUILDING PLANS FOR LOCATIONS ON EACH FLOOR-TOTAL: 3-A1, 4-B1, 1-C1=8 UNITS



VICINITY MAP

UNIT MIX ALL BLOCKS:

TYPE I	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	1	6	6	13	33%
UNIT B1	976 S.F.	5	9	9	23	59%
UNIT C1	1218 S.F.	0	1	1	2	5%
UNIT D1	1850 S.F.	1	0	0	1	3%
TOTAL		7	16	16	39	100%

TYPE II	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	13	13	13	39	45%
UNIT B1	976 S.F.	15	15	15	45	52%
UNIT C1	1218 S.F.	1	1	1	3	3%
TOTAL		29	29	29	87	100%

TYPE III	AREA	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL	%
UNIT A1	755 S.F.	9	9	9	27	45%
UNIT B1	976 S.F.	9	11	11	31	52%
UNIT C1	1218 S.F.	2	0	0	2	3%
TOTAL		20	20	20	60	100%

UNIT TH-2 1271 S.F. 12 UNITS
UNIT TH-3 1599 S.F. 26 UNITS
UNIT TH-4 1907 S.F. 4 UNITS
TOTAL 42 UNITS

3 TYPE III BUILDINGS =180 UNITS

TOTAL UNITS ALL BLOCKS: 348 UNITS

REQUIRED PARKING: 348 UNITS X 1.25=435 SPACES
PARKING PROVIDED:
64 SURFACE 15 HC 356 STANDARD GND.COVERED TOTAL 435 SPACES
DENSITY: 44.55 UNITS/ACRE +32 ON STREET

ALL BLOCKS

TOTAL SITE AREA: 439,085 S.F. 10.08 ACRES
BUILDING FOOTPRINTS:
1 BUILDING TYPE I: 21,436 S.F. = 21,436 S.F.
1 BUILDING TYPE II: 36,208 S.F. = 36,208 S.F.
3 BUILDING TYPE III: 25,251 S.F. = 75,753 S.F.
5 BUILDING TYPE IV: 2442 S.F. = 12,210 S.F.
4 BUILDING TYPE V: 2559 S.F. = 10,236 S.F.
3 BUILDING TYPE VI: 4154 S.F. = 12,462 S.F.
TOTAL BUILDING FOOTPRINTS: =168,305 S.F.

PAVING AND SIDEWALKS: 74,546 S.F.
PICNIC TABLES: 7,227 S.F.
PORCHES: 3,681 S.F.
GREENSPACE:
BIOSWALES: 41,756 S.F.
SW PLANTERS: 23,080 S.F.
TOTAL GREENSPACE: 171,281 S.F. 39%
TOTAL IMPERMEABLE AREA: 253,759 S.F. 58%

01 OVERALL SITE PLAN

SCALE: 1"=40'-0"

NORTH

DRAWN BY: D.P.H./F.S.G.
CHECKED BY: R.P.G.
DATE: 03.16.2020
ISSUED FOR PERMIT: XX.XX.2020
ISSUE FOR PRICING:
ISSUE FOR CONSTRUCTION: XX.XX.2020
REVISIONS:

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RPGA DESIGN GROUP, INC.
Architecture SpacePlanning Interiors
101 S. Jennings Ave., Suite 100 Fort Worth, Texas 76104 817.332.9477 Fax 817.332.9487 Metro 972.445.9425

OLEANDER MULTI-FAMILY
APARTMENTS & TOWNHOMES
A 315 UNIT DEVELOPMENT
GALVESTON, TEXAS

SEALS VALID ONLY IF SIGNED AND DATED

PROJECT NO. 080820-SR-1

SHEET NO. A-1.01

Attachment B

Texas Department of Housing and Community Affairs
Rent and Income Limits[1] (As of 4/1/2020)

Project: **Oleander Redevelopment**

Instructions:

(1) Choose the county in which your project is located.

(2) If your project is located within the boundaries of one of the designated places listed in the drop down menu then make the appropriate selection. If the location is not listed, then choose the "Not Listed" option.

(3) Please select the financing applicable for your project. Units financed with HOME, NSP, or tax exempt bonds and 4% tax credits are not eligible to use the National Non-Metro limits.

(4) Choose the date the first building in the project (as defined on line 8b of the 8609) was placed in service or for State Housing Trust Fund, the date of your LURA. For HOME, NSP or National Housing Trust Fund, select "N/A."

(5) Select the date based on the execution date of your property's Carryover Agreement, Determination Notice or Subaward Agreement Date. For State Housing Trust Fund, select the date of your LURA. For HOME, NSP or National Housing Trust Fund select "N/A." See footnote 3 for more details.

PLEASE COMPLETE ALL FIELDS.

(1) County: Galveston

(2) Place:[2] Galveston

(3) Financing: 4% Housing Tax Credits

(4) Project PIS Date: On or After 5/17/2020

(5) Carryover / Determination Notice / Subaward Agreement Date: On or After 5/17/2020

INCOME LIMITS **2019 Area Median Income:** $78,800

AMFI %	Number of Household Members							
	1	2	3	4	5	6	7	8
20	$ 11,040	$ 12,620	$ 14,200	$ 15,760	$ 17,040	$ 18,300	$ 19,560	$ 20,820
30	$ 16,560	$ 18,930	$ 21,300	$ 23,640	$ 25,560	$ 27,450	$ 29,340	$ 31,230
40	$ 22,080	$ 25,240	$ 28,400	$ 31,520	$ 34,080	$ 36,600	$ 39,120	$ 41,640
50	$ 27,600	$ 31,550	$ 35,500	$ 39,400	$ 42,600	$ 45,750	$ 48,900	$ 52,050
60	$ 33,120	$ 37,860	$ 42,600	$ 47,280	$ 51,120	$ 54,900	$ 58,680	$ 62,460
70	$ 38,640	$ 44,170	$ 49,700	$ 55,160	$ 59,640	$ 64,050	$ 68,460	$ 72,870
80	$ 44,160	$ 50,480	$ 56,800	$ 63,040	$ 68,160	$ 73,200	$ 78,240	$ 83,280
120	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

RENT LIMITS

AMFI %	Number of Bedrooms					
	0	1	2	3	4	5
20	$276	$295	$355	$410	$457	$504
30	$414	$443	$532	$615	$686	$757
40	$552	$591	$710	$820	$915	$1,009
50	$690	$739	$887	$1,025	$1,143	$1,261
60	$828	$887	$1,065	$1,230	$1,372	$1,514
65						
70	$966	$1,035	$1,242	$1,435	$1,601	$1,766
80	$1,104	$1,183	$1,420	$1,640	$1,830	$2,019

1. The Texas Department of Housing and Community Affairs (the "Department" or TDHCA") has posted to its website the 2020 Income and rent limit tool. This tool was developed for use by TDHCA staff, primarily in the Compliance Division, to determine whether income and rent limits prescribed by law were being met, and the tool is being shared with the public solely as a courtesy. This tool is NOT to be considered as either a definitive or exclusive statement or application of law or as legal advice. Neither the tool itself nor any output from or conclusions drawn from the tool may be relied upon as conclusively correct information or used a defense to any contrary determination, finding, conclusion, or assertion by any relevant or cognizant oversight or enforcement entity (including TDHCA) of an applicable rent or income limit. Again, these are simply the income and rent limits that the Department expects to use when monitoring. It is anticipated that from time to time as the Department identifies aspects of the tool that it needs to amend, correct, or improve, it will do so, but the Department cannot and does not commit to providing notifications or changes to the tool as posted on its website or as used by TDHCA staff.

2. The "Place" field is used to determine whether the property is eligible to use the National Non-Metropolitan Median Income limits. Not all Places or Cities in Texas are shown. If you are located outside of the boundaries of a designated Place then select "Not Listed" even if your mailing address reflects the place name.

3. The 'Carryover / Determination Notice / Subaward Agreement Date' field is used to determine whether the property's gross rent floor is based upon a different set of income limits than those used to qualify tenants. For a competitive or 9%

4. The 2020 Housing Tax Credit limits are effective 4/1/2020. The NSP income limits are effective 6/28/2019. The Community Planning Division (CPD) of HUD released the 2019 HOME Program income limits effective 6/28/2019 and rent limits that are effective for all new leases and lease renewals after 6/28/2019. The National Housing Trust Fund income and rent limits are effective 6/28/2019.

5. For Housing Tax Credit project(s) that place in service or execute a Carryover Agreement within 45 days after HUD releases the MTSP Income limits where the newly released limits reflect a decrease, IRS Revenue Ruling 94-57 allows the owner to rely on either limit.