

**AGENDA  
PLANNING COMMISSION  
REGULAR MEETING  
3:30 p.m. Tuesday, August 4, 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: July 21, 2020

Documents:

[2020-07-21 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

Documents:

[2020-08-04 PC PUBLIC COMMENT\\_REDACTED.PDF](#)

7. New Business And Associated Public Hearings
  - A. 20BF-051 (Kahala Beach Estates) Request For A Beachfront Construction Certificate/Dune Protection Permit In Order To Perform Annual Beach Maintenance. The Property Is Legally Described As Sur Tr (0-1), Beach Area, Kahala Beach Estates, A Subdivision In The City And County Of Galveston, Texas. Applicant: Sunrise Beach Cleaning, Santiago Mejia Property Owner: City Of Galveston

Documents:

B. 20P-016 (Stewart Beach – 201 Avenue K)

Request for a Beachfront Construction Certificate/Dune Protection Permit in order to construct improvements to the park including drainage, resurfacing park roadways, filling parking areas, and constructing pedestrian and emergency vehicle crossovers. Property is legally described as Abst 628 Page 141 & 142 M Menard Sur TR 59 7.909 Acrs; Abst 628 M B Menard Sur (241-0-0) Blk 241 Galveston; Abst 628 M B Menard Sur (242-0-0) Blks 242 & Pt of 243 Galveston; Abst 628 M B Menard Sur (242-0-0) Blks 242 & Pt of 243 Galveston; Abst 628 M B Menard Sur (183-0-0) Blk 183 Galveston; Abst 628 M B Menard Sur (182-0-0) Blk 182 Galveston; Abst 628 M B Menard Sur (181-0-0) Blk 181 Galveston; Abst 628 M B Menard Sur (121-0-0) Blk 121 Galveston; Abst 628 M B Menard Sur (122-0-0) Blk 122 Galveston; Abst 628 M B Menard Sur (123-0-0) Blk 123 Galveston, a subdivision in the City and County of Galveston, Texas.  
Applicant: Galveston Park Board of Trustees, Sheryl Rozier

Documents:

[20P-016 - STAFF REPORT WITH ATTACHMENTS.PDF](#)

- C. 20P-023 (21631 Zachary, 21703 Zachary, 21630 San Luis Pass Road/FM 3005, 21702 San Luis Pass Road/FM 3005) Request For A Replat In Order To Decrease The Number Of Lots From Five Into Four. Properties Are Legally Described As: Hall & Jones Survey Abandoned Mason Drive Right-Of-Way Adjacent To Lots 118, 119, 142 & 143, (143-1); Lot 118; Lot 119; Lot 142; And Lot 143; Sea Isle Section 1; In The City And County Of Galveston, Texas. Applicants And Property Owners: Angele Investments, LLC; Angele Holdings, LLC; Joe Allen Cooper; And Bennie F. Simmons And Patricia Ann Simmons

Documents:

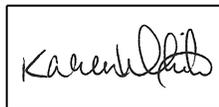
[20P-023 PKT.PDF](#)

8. Discussion And Action Items

- Planning Commission Awards (Staff)

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 July 29, 2020 at 4:00 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 – July 21, 2020

### CALL MEETING TO ORDER

The meeting was called to order at 3:40 p.m.

### ATTENDANCE

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

Members Absent: None

Staff Present: Catherine Gorman, AICP, Assistant Director/HPO

Staff Present via Telephone: Tim Tietjens, Development Services Director; Dustin Henry, AICP, Coastal Resource Manager; Virginia Greb, Assistant Coastal Resource Manager; Adriel Montalvan, Senior Project Manager; Karen White, Planning Technician; Donna Fairweather, Assistant City Attorney

### CONFLICT OF INTEREST

None

### APPROVAL OF MINUTES

The June 16, 2020 minutes were approved as presented.

### MEETING FORMAT

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

### PUBLIC COMMENT

Public comment (attached) was provided to the Planning Commission via email.

### OLD 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 the staff report.

Jeff Antonelli arrived at 3:58 p.m.

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

Carol Hollaway made a motion to approve case 20P-010 with staff's recommendations and the following changes:

Specific Conditions:

5. Both rear porches shall be omitted; and
6. In the event of damage to dune vegetation, the applicant shall be responsible for restoration to the satisfaction of city staff and the Texas General Land Office.

Vice-Chairperson Jeffrey Hill seconded.

Carol Hollaway withdrew her motion.

Chairperson Cate Black made a motion to deny case 20P-010 because of her determination that there is enough space on the lot to build a home without encroaching into the Dune Conservation Area. Jeff Antonelli seconded, and the following votes were cast:

In favor:	Antonelli, Black, Brown, Cook, Hill, Hollaway
Opposed:	None
Absent:	None
Non-voting participant:	CM Listowski (Ex-Officio)

**The motion passed.**

#### **NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS**

**20P-021 (23700 San Luis Pass Rd / FM 3005)** Request for a change of zoning from Residential Single-Family (R-1) to a Resort/Recreation (RES/REC) zoning district. Property is legally described as Lot 1R (1-18), 38.249 Acres, Galveston Island RV Resort (2015), in the City and County of Galveston Texas.

Applicant: Russell J. Walla

Property Owner: Galveston Island RV Resort LP

Staff presented the staff report and noted that of fifty-one (51) notices of public hearing sent, zero (0) had been returned in favor, seven (7) had been returned in opposition, and one (1) had been returned without comment.

Chairperson Cate Black opened the public hearing on case 20P-021. Applicant Russell J. Walla 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 recommend denial of case 20P-021 because of her determination that the application did not satisfy the criteria for approval from Division 13.601 (C) of the Land Development Regulations, specifically:

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 Land Development Regulations, including parking and buffering requirements.

Carol Hollaway seconded, and the following votes were cast:

In favor:	Antonelli, Hill, Hollaway
Opposed:	Black, Brown, Cook
Absent:	None
Non-voting participant:	CM Listowski (Ex-Officio)

**The motion failed due to a lack of four affirmative votes.**

Chairperson Cate Black made a motion to recommend approval of case 20P-021 with staff's recommendations. Carol Hollaway seconded, and the following votes were cast:

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

Absent: None  
Non-voting participant: CM Listowski (Ex-Officio)

**The motion failed due to a lack of four affirmative votes. Due to the two failed motions, the request will be forwarded to City Council without a recommendation.**

**DISCUSSION AND ACTION ITEMS**

- Planning Commission Awards (Staff)

**THE MEETING ADJOURNED AT 5:56 PM**



**COMMISSIONER QUESTIONS**

Case 20P-010	
Commissioner Questions	Staff Responses
<p><b>Commissioner Brown:</b> Public Works comments that the current two inch water line cannot support an additional connection for this project. How is the applicant to address this? He cannot go without water and installing a larger water line would be would incur a large expense, one that the subdivision developer should probably take on instead of a homeowner. I am unclear as to what the alternative solution would be for the applicant.</p>	<p><b>Staff:</b> The issues addressed by Public Works and the Fire Marshal are the responsibility of the developer and/or applicant to resolve. The issues addressed by Public Works and the Fire Marshal are not within the beachfront purview. Coastal Resources staff encouraged the applicant to schedule a pre-development meeting with city staff in order to prepare for issues other departments may have during the review process. The application will be reviewed by multiple city departments after the beachfront review is complete. Although not related to the Beachfront Construction Permit, these issues are noted to document that the applicant has been made aware of them early in the permitting process.</p>
<p><b>Commissioner Brown:</b> Fire Marshall comments that an all-weather access road must be installed. Same comment as above. How can the applicant be expected to pay for a road that benefits the subdivision as a whole in order to get his project built. Again this should be the responsibility of the developer. Does the applicant have a solution to this and the above requirement for this project to go forward?</p>	<p><b>Staff:</b> The issues addressed by Public Works and the Fire Marshal are the responsibility of the developer and/or applicant to resolve. The issues addressed by Public Works and the Fire Marshal are not within the beachfront purview. Coastal Resources staff encouraged the applicant to schedule a pre-development meeting with city staff in order to prepare for issues other departments may have during the review process. The application will be reviewed by multiple city departments after the beachfront review is complete. Although not related to the Beachfront Construction Permit, these issues are noted to document that the applicant has been made aware of them early in the permitting process.</p>
<p><b>Commissioner Brown:</b> The deck on the south side is 7' from the "North Toe of the Critical Dune Area, which is prohibited without an exemption" and it lies within the Dune Conservation Area. Staff finds that this deck projection does not meet the criteria for exemption as described in the Erosion Response Plan. (here's where I get confused) Upon studying the ERP, I gathered that any structure within or south of the Dune Conservation Area, which includes land within 25' of the north toe of the dune, needs an exemption for construction within that Area (page 13,14,15 of the ERP). The site plan provided for case 20P-010 shows that half of the proposed house (including the deck) is within 25' of the north toe of the dune. So, are we saying that there is "no practical alternative to the construction" of the main house in the Dune Conservation Area (warranting an exemption for that part of the main house) but there is an alternative to the deck on the south side - just remove it because it's not necessary for habitation or, have I misunderstood</p>	<p><b>Staff:</b> The applicant is waiting for Planning Commission action in order to move forward with this project. The applicant discussed this project with multiple city departments and submitted multiple revisions to city staff. Coastal Resources staff informed the applicant it is prohibited to pave or alter the ground below the lowest habitable floor in the area between the Line of Vegetation and 25-feet landward of the NTD of the Critical Dune Area without an exemption. The applicant submitted the exemption request in response to city and state regulations. This is the proposal the applicant is presenting to the Commission after receiving comments from city and state staff. The Planning Commission may add a condition to address any application issues. Example: the applicant shall submit revised plans indicating no construction will occur within 25-feet landward of the NTD (this includes decks and the single-family dwelling OR the applicant shall submit revised drawings</p>

<p>something? (By removing the southernmost line of pilings that support the deck that lies 7' from the dune, only 5-1/2' is gained (per "Pile Ground Layout" in staff report), leaving ground construction 12-1/2' from the north toe of the dune.)</p>	<p>indicating the uncovered and covered deck will be removed as they are not necessary for habitation.</p> <p>Staff asked the applicant to provide the proposed piling distances from the NTD. Please see the applicant response below:</p> <ol style="list-style-type: none"> <li>1. The distance from the NTD to the pilings beneath the uncovered deck. <b>7 feet</b></li> <li>2. The distance from the NTD to the pilings beneath the covered deck. 7 feet + 5 feet 5 inches = <b>12 feet 5 inches</b></li> <li>3. The distance from the NTD to the pilings beneath the single-family dwelling. 7 feet + 5 feet 5 inches + 8 feet 6 inches = <b>20 feet 11 inches</b></li> </ol>
<p><b>Commissioner Hollaway:</b> The applicant states the following in a letter to the City dated REVISED 07/02/2020:</p> <p>"There will not be buildings or pavement south of the 25' line from the NTD."</p> <p>As I review the plans and drawings it appears that approximately 30-40% of the structure itself lies within the Dune Protection Line, 25' north of the NTD.</p>	<p><b>Staff:</b></p> <p>Paving: (Staff Report – pg. 2)        The applicant is proposing fibercete for the single-family dwelling footprint located 25-feet landward of the North Toe of the Critical Dune Area with no paving proposed in the area south of 25-feet from the NTD.</p> <p>Structure: (Staff Report – pg. 2)        The applicant is proposing construction within the Enhanced Construction Zone and to place pilings within seven-feet of the North Toe of the Critical Dune Area, which is prohibited without an exemption. (Staff Report – page 2.)</p> <p>The applicant provided a letter requesting an exemption to build in the Dune Conservation Area (DCA) and a mitigation plan for construction seaward of the Dune Protection Line (DPL). The exemption request and mitigation plan, (Attachment "C"), are submitted with this request.</p> <p><u>Staff finds the applicant does not meet the following criteria provided in Section 4 of the City of Galveston Erosion Response Plan in order to amend existing regulations to allow an exemption from the prohibition on construction within or seaward of the Dune Conservation Area:</u></p> <ul style="list-style-type: none"> <li>• <u>Properties for which the owner has demonstrated to the satisfaction of the City that there is no practicable alternative to construction within or seaward of the Dune Conservation Area. For the purposes of this ERP, practicable means available and capable of being done after taking into consideration</u></li> </ul>

	<p><u>existing building practices, siting alternatives, and the footprint of the structure in relation to the area of the building portion of the lot, and considering the overall development plan for the property.</u></p> <p><u>The construction of a proposed deck is avoidable in order to minimize adverse impacts to dunes and dune vegetation and allow natural dune fluctuations, migration, and recovery following coastal storm events. The Texas Administrative Code does not define a deck as necessary for habitation. The Texas Administrative Code Rule 15.2 (38) defines a habitable structure as the area of a lot covered or by a structure used or usable for habitation. The habitable structure perimeter or footprint does not include incidental projecting eaves, balconies, ground-level paving, landscaping, open recreational facilities, or other similar features.</u></p>
<p><b>Commissioner Hollaway:</b> Are you expecting the applicant to revise their drawings to comply with their statement of July 2? Am I misinterpreting the drawings?</p>	<p><b>Staff:</b>          Specific Conditions to Case 20P-010: (Staff Report – pg. 5)</p> <ol style="list-style-type: none"> <li>1. The applicant shall submit revised plans indicating the proposed uncovered deck will not disturb the Dune Conservation Area;</li> </ol> <p>The applicant is waiting for Planning Commission action in order to move forward with this project. The applicant discussed this project with multiple city departments and submitted multiple revisions to city staff. Coastal Resources staff informed the applicant it is prohibited to pave or alter the ground below the lowest habitable floor in the area between the Line of Vegetation and 25-feet landward of the NTD of the Critical Dune Area without an exemption. The applicant submitted the exemption request in response to city and state regulations. <u>This is the proposal the applicant is presenting to the Commission after receiving comments from city and state staff.</u></p> <p>The Planning Commission may add a condition to address any application issues.          Example: the applicant shall submit revised plans indicating no construction will occur within 25-feet landward of the NTD (this includes decks and the single-family dwelling) OR the applicant shall submit revised drawings indicating the uncovered and covered deck will be removed as they are not necessary for habitation.</p>

	<p>Staff requested the applicant to provide the proposed piling distances from the NTD. Please see the applicant response below:</p> <ol style="list-style-type: none"> <li>1. The distance from the NTD to the pilings beneath the uncovered deck. (7 feet)</li> <li>2. The distance from the NTD to the pilings beneath the covered deck. (7 feet + 5 feet 5 inches = <u>12 feet 5 inches</u>)</li> <li>3. The distance from the NTD to the pilings beneath the single-family dwelling. (7 feet + 5 feet 5 inches + 8 feet 6 inches = <u>20 feet 11 inches</u>)</li> </ol> <p>Contact the coastal resources division if you have questions or require additional clarification.          We are happy to help.</p>
<b>Case 20P-021</b>	
<b>Commissioner Questions</b>	<b>Staff Responses</b>
<p><b>Commissioner Brown:</b> I have one question regarding the other agenda item # 20P-021. If approved, and zoning is changed to RES/REC will any subsequent development on the applicants property be restricted to maintain a 300' setback for a buffer from the south, east and north property lines where they abut R-1 neighborhoods?</p>	<p><b>Staff:</b> If approved, the use will remain nonconforming. Subsequent development in relation to the RV Park use may occur in accordance with the site plan approved as part of the GLUP process. Per the approved site plan (attached), the applicant may choose to develop an additional 39 RV pad sites on the southeast portion of the property, which will be less than 300 feet from the surrounding R-1 lots. Any other development not associated with the approved GLUP will be subject to applicable regulations in the RES/REC zoning district, and may require replatting the lot.</p>
<p><b>Commissioner Hill:</b> I have a couple of further historical questions on #20P-21 for staff. Pre-LDRs, was a GLUP used in a similar manner as a PUD is used now? In other words, for a specific development within stated parameters. I'm trying to determine if the land in question could be used for <i>anything</i> other than exactly what is stated on their approved site plan, or a more restrictive use. Pre-LDRs is this how all RV parks were approved—thru GLUP?</p>	<p><b>Staff:</b> Prior to adoption of the LDR, a GLUP was a comparable process to the PUD. The primary distinction between both processes is that the GLUP only required Planning Commission approval and the PUD requires Planning Commission review/recommendation, but City Council has the final decision authority. Like a PUD, a GLUP was approved for a specific project. The use of the land for anything else would have required another GLUP approved by the Planning Commission.</p> <p>Below is an excerpt from the 1991 Zoning Standards:</p> <p><i>Requirements for Travel Trailer Parks</i></p> <p>1) <i>Zoning Districts and Area:</i></p> <ol style="list-style-type: none"> <li>a. <i>Travel trailer parks may be located in the Planned Development (PD) district as a permitted use.</i></li> <li>b. <i>Travel trailer parks may be located as specific use pursuant to Section 29.69 (Specific Use Permits) of the Zoning Standards in the following zoning districts:              Recreation District (REC) Resort District (RES)</i></li> </ol>

	<p>c. <i>All travel trailer parks shall contain a contiguous area of one (1) city block (1.8 acres minimum) in the developed areas of the City and two acres (2.0 acres minimum) in undeveloped areas. A minimum of twenty percent (20%) of the total required area shall be maintained as streets, utility easements and common area.</i></p>
<p><b>Commissioner Hollaway:</b> What are the differences in signage, lighting, setbacks, and other regulations with the change in zoning from the current R-1 designation to the proposed RES/REC designation? I understand that a variety of new uses would be compatible with the RES/REC designation but I would like to have a broader picture of what that might actually look like to the surrounding area. As an example, a “biker bar” is generally perceived as a “worst case scenario” when changes in zoning are proposed for the West End. With what regulations would a “biker bar” located on FM3005 within the applicant’s parcel be required to comply? What would the signage, lighting, and noise regulations be as compared with what is allowed now within the RV Park operating under the GLUP?</p>	<p><b>Staff:</b> Here’s a link to the Land Development Regulations (LDR): <a href="https://www.galvestontx.gov/DocumentCenter/View/8823/Land-Development-Regulations-PDF?bidId=">https://www.galvestontx.gov/DocumentCenter/View/8823/Land-Development-Regulations-PDF?bidId=</a>. The signage allotments for RES/REC are in Table 5.108. R-1 signage regulations are in Table 5.110. Lighting is in Article 7 – generally all exterior lighting must be shielded and aimed down and minimal light may encroach a property line. Setbacks for the districts are in Article 3 Addendums – R-1 is page 3-6 and RES/REC is page 3-23. Noise is regulated by City Code and is the same for all properties in the City: <a href="https://library.municode.com/tx/galveston/codes/code_of_ordinances?nodeId=PTIICOCI_CH24OFIS">https://library.municode.com/tx/galveston/codes/code_of_ordinances?nodeId=PTIICOCI_CH24OFIS</a>. A “Bar” is a permitted use in the RES/REC zoning district.</p> <p>I’ve attached the Zoning Standards – these are the regulations that the LDRs replaced in 2015. Because the property is legally non-conforming (grandfathered), the RV Park is subject to these regulations for signage and lighting. I’m pretty rusty on these regs, since we haven’t used them in 5+ years! Signage for the PD zoning district is in Section 29-82(k). Lighting is 29-106(C).</p>
<p><b>Commissioner Hollaway:</b> The current RV Park does not conform to the Limited Use requirements stipulated in the LDRs. Did the GLUP exempt the RV Park development from all the current requirements including landscaping and visual screening? How about the length of stay at the RV Park? Is that exempted too?</p>	<p><b>Staff:</b> Since the RV Park is grandfathered, it is governed by the GLUP approval and the Zoning Standards. We can’t apply current regulations to it. Standards for “Travel Trailer” – the Zoning Standards name for RV Parks – is in Section 29-87. There is a 60 day restriction on length of stay.</p>
<p><b>Commissioner Hollaway:</b> I understand that the current operation of the RV Park is nonconforming with the current LDRs. Even if the zoning change were to occur, the operation of the RV Park remains nonconforming. If I have misinterpreted the information provided, please correct me. If this is correct, what are the advantages of changing the zoning from the City’s perspective and from the applicant’s? I can speculate regarding the market advantage to the applicant, but I am having difficulty understanding how a change in zoning would be</p>	<p><b>Staff:</b> The staff uses the Criteria for Approval in developing our recommendation. In this case, we’ve found that the criteria has been met. I can’t speculate as to the applicant’s motivations.</p>

Planning Commission  
July 21, 2020

beneficial to the City since the current use would remain nonconforming.	
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**PROPERTY OWNER NOTIFICATIONS & PUBLIC COMMENT**

Case 20P-021					
In favor	Opposed	No Comment	Comments	Within 200'	Outside 200'
	X		<p><b>Jeffrey &amp; Kathy Starling:</b> We live directly across the street from subject property. We are <b>against</b> the zoning change from R1 to RES/REC. In 2014 the subject property received a General Land Use Plan special approval to operate as a RV Park only. Due to its close proximity to adjacent residential neighborhoods, there was major opposition to this decision. Homeowners were told at the time that the city had no legal recourse due to the zoning laws back then. If the zoning is changed to RES/REC, the 2015 LDR provides for 51 permitted uses, including Gas Stations, Bar, Condo, and Restaurants to name a few. This property is surrounded on 3 sides with R1 zoning, the bay is on the fourth side. There are built out neighborhoods on two sides, Bay Harbor and Miramar. Commercial activity is not appropriate for residential neighborhoods. The RV Park does not meet today's regulations for RV Parks. RV Spaces are within the 300 foot setback required from R1 residential homes. Leaving the zoning at the current R1 will limit the uses of the property to a RV Park only and prevent further disruption to our neighborhoods. Why did the applicant wait 5 years to request this change? Perhaps there are currently no plans to not vary from what was previously approved, but changing the zoning to RES/REC leaves the door open to undesirable changes in the future. We ask that the Planning Commission vote against the proposed zoning change for the welfare of the surrounding neighborhoods.</p>	X	
	X		<p><b>Martin &amp; Susan Ferron:</b> We live in the residential area to the south of the RV park and are totally <b>against</b> the proposed zoning change, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The current R1 zoning is the right one for an area in the middle of other R1 zones, just as it has been for the last six years.</li> <li>2. A RES/REC zoning would provide the owner with too much freedom to further disrupt our neighborhood with a bar, restaurant, gas station etc.</li> <li>3. The owner states that he has no plans to use the proposed zoning, yet site preparations are clearly underway on the east side of the property.</li> </ol>	X	

			<p>4. Current regulations calling for a minimum of 300 ft of separation, between RV bays and residential homes, should be enforced as more of a priority.</p> <p>Conclusion: the current R1 zoning preserves an appropriate balance of interests between the RV park owner and the owners of many adjacent residential properties.</p>		
	X		<b>Marty Teague:</b> Reduction of home values, noise, and fuel smell	X	
	X		<p><b>Misty Ventura:</b> I am opposed to the rezoning of property located at 23700 San Luis Pass Road/FM 3005 from R-1 to RES/REC. Such a rezoning is inconsistent with the recently approved 2015 zoning map amendments. In addition, as staff correctly notes in the executive summary of their staff report, existing improvements are less than 300 feet to R-1 lots directly to the south of the subject property (i.e., the subject property does not meet current standards for compatible land uses). Changing the zoning from R-1 to RES/REC opens the door for the expansion of this incompatible use. The fact that there is "no proposed change to present land use" is not relevant and there is no guaranty that "the use will remain as an RV Park." Instead, there is a likelihood that the incompatible commercial uses will expand if the rezoning is approved.</p> <p>The request is not consistent with Section 13.601(C) because the zoning change is not compatible with the properties in the immediate vicinity of the parcel proposed for rezoning. As a property owner within 200 feet of the proposed rezoning, I respectfully request that this zoning case be denied and that this email be shared with each Planning Commissioner in advance of the planned July 21<sup>st</sup> public hearing and each City Council Member in advance of the planned August 13<sup>th</sup> public hearing.</p>	X	
		X	<b>Calvin D. Meeks:</b> N/A	X	
	X		<b>Paul Stephenson:</b> This property was zoned R-1 in 2015 for a reason, even after the RV park was underway. Please explain.	X	
	X		<b>Joe &amp; Linda Trinkle:</b> N/A	X	
	X		<b>Alan O'Neill:</b> N/A	X	
	X		<b>West Galveston Island POA:</b> The West Galveston Island Property Owners Association is against a request in zoning change for 20P-021 (23700 San Luis Pass Rd / FM 3005) from Residential Single-Family (R-1) to A Resort/Recreation (RES/REC) Zoning District. The Fifty Five Hundred Association		X

			is a member of our organization and have members, Miramar, Stravangar, Half Moon Beach) that live across the street from the RV Park. Thank you. Jerry Mohn President.		
	X		<b>Mark Garza:</b> I am concerned with the reasoning of the parcel near my residence for the submission reference above. I am opposed to the change.		X
	X		<b>Dana Kurtin:</b> I oppose the zoning change request for Galveston Island RV Resort, 23700 San Luis Pass Road. The expansion is too close to residential homes in Bay Harbor.		X
	X		<b>Lisa Porter:</b> I am the property manager for Terramar Beach CIA. We strongly object to the request for rezoning by the RV Park west of Bay Harbor. This request, if approved, will adversely affect the Terramar Beach community. There are already plenty of stores, gasoline opportunities, groceries, bars and liquor within one minute of the RV park. Please forward my comment to the planning committee. Thank you for your consideration.		X

**Totals**

**Property Owner Notices**

Returned: 8/51  
 In favor: 0/8  
 Opposed: 7/8  
 No comment: 1/8

**Public Comment**

Received: 6  
 In favor: 0/6  
 Opposed: 6/6

# **PROPERTY OWNER NOTICE RESPONSES**



# City of Galveston

DEVELOPMENT SERVICES  
823 Rosenberg, Rm 401 | Galveston, TX 77550  
planningcounter@galvestontx.gov | 409-797-3660

## NOTICE OF PUBLIC HEARING REGULAR MEETING

Notice is hereby given that on July 21, 2020, at 3:30 p.m., a Public Hearing will be held by the **PLANNING COMMISSION** on the following request, in City Council Chambers, Second Floor of City Hall, 823 Rosenberg, in the City of Galveston, Texas:

**20P-021 (23700 San Luis Pass Rd / FM 3005)** Request for a change of zoning from Residential Single-Family (R-1) to a Resort/Recreation (RES/REC) zoning district. Property is legally described as Lot 1R (1-18), 38.249 Acres, Galveston Island RV Resort (2015), in the City and County of Galveston Texas.

Applicant: Russell J. Walla

Property Owner: Galveston Island RV Resort LP

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*If you have any questions regarding this notice, please contact our office at (409) 797-3660 and ask to speak to the staff member indicated below.*

*Para preguntas o mayor información en español, comuníquese con el Departamento de Planificación de la Ciudad de Galveston al (409) 797-3645.*

Planning and Development Division  
PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am **opposed**
- I have no comment

**20P-021**  
**July 21, 2020**

COMMENTS: *See attached comments*

*[Handwritten Signature]*  
 Signature of Property Owner  
*Jeffrey M. Starling*  
*Kathy W. Starling*  
 Printed Name

*24047 San Luis Pass Rd*  
 Address of property within notification area  
 [Redacted]  
 \*Contact Phone Number

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20P-021 July 21,2020

Comment from Jeffrey and Kathy Starling, 24047 San Luis Pass Road

We live directly across the street from subject property. We are against the zoning change from R1 to RES/REC.

In 2014 the subject property received a General Land Use Plan special approval to operate as a RV Park only. Due to its close proximity to adjacent residential neighborhoods, there was major opposition to this decision. Homeowners were told at the time that the city had no legal recourse due to the zoning laws back then.

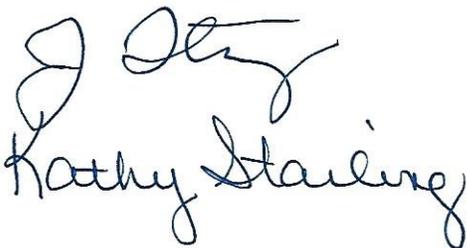
If the zoning is changed to RES/REC, the 2015 LDR provides for 51 permitted uses, including Gas Stations, Bar, Condo, and Restaurants to name a few. This property is surrounded on 3 sides with R1 zoning, the bay is on the fourth side. There are built out neighborhoods on two sides, Bay Harbor and Miramar. Commercial activity is not appropriate for residential neighborhoods.

The RV Park does not meet today's regulations for RV Parks. RV Spaces are within the 300 foot setback required from R1 residential homes.

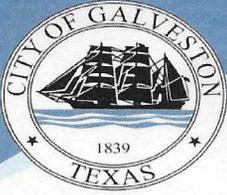
Leaving the zoning at the current R1 will limit the uses of the property to a RV Park only and prevent further disruption to our neighborhoods.

Why did the applicant wait 5 years to request this change? Perhaps there are currently no plans to not vary from what was previously approved, but changing the zoning to RES/REC leaves the door open to undesirable changes in the future.

We ask that the Planning Commission vote against the proposed zoning change for the welfare of the surrounding neighborhoods.



Kathy Starling



# City of Galveston

DEVELOPMENT SERVICES  
823 Rosenberg, Rm 401 | Galveston, TX 77550  
planningcounter@galvestontx.gov | 409-797-3660

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Planning and Development Division  
PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS: SEE ATTACHED.

Signature of Property Owner

23607 SAN LUIS PASS RD.  
Address of property within notification area

M. FERLOW  
Printed Name

[REDACTED]  
\*Contact Phone Number

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20P-021: July 21,2020

Martin and Susan Ferron, 23607 San Luis Pass Road.

We live in the residential area to the south of the RV park and are totally **against** the proposed zoning change, for the following reasons:

1. The current R1 zoning is the right one for an area in the middle of other R1 zones, just as it has been for the last six years.
2. A RES/REC zoning would provide the owner with too much freedom to further disrupt our neighborhood with a bar, restaurant, gas station etc.
3. The owner states that he has no plans to use the proposed zoning, yet site preparations are clearly underway on the east side of the property.
4. Current regulations calling for a minimum of 300 ft of separation, between RV bays and residential homes, should be enforced as more of a priority.

Conclusion: the current R1 zoning preserves an appropriate balance of interests between the RV park owner and the owners of many adjacent residential properties.



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Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS: Reduction of home values, Noise, and fuel smell

Marty W Teague  
Signature of Property Owner

23411 4th Ave Galveston, TX  
Address of property within notification area  
77554

Marty W Teague  
Printed Name

[REDACTED]  
\*Contact Phone Number

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PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS:

Proposed use not compatible with adjacent  
single family homes  
Misty Ventura

23631 SAN LUIS PASS RD

Signature of Property Owner

Address of property within notification area

MISTY VENTURA

[Redacted]

Printed Name

\*Contact Phone Number

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## Karen White

---

**From:** Misty Ventura <[REDACTED]>  
**Sent:** Saturday, July 18, 2020 12:25 PM  
**To:** Planning Counter  
**Cc:** Adriel Montalvan  
**Subject:** [EXTERNAL] Zoning Case 20P-021

I am opposed to the rezoning of property located at 23700 San Luis Pass Road/FM 3005 from R-1 to RES/REC. Such a rezoning is inconsistent with the recently approved 2015 zoning map amendments. In addition, as staff correctly notes in the executive summary of their staff report, existing improvements are less than 300 feet to R-1 lots directly to the south of the subject property (i.e., the subject property does not meet current standards for compatible land uses). Changing the zoning from R-1 to RES/REC opens the door for the expansion of this incompatible use. The fact that there is "no proposed change to present land use" is not relevant and there is no guaranty that "the use will remain as an RV Park." Instead, there is a likelihood that the incompatible commercial uses will expand if the rezoning is approved.

The request is not consistent with Section 13.601(C) because the zoning change is not compatible with the properties in the immediate vicinity of the parcel proposed for rezoning. As a property owner within 200 feet of the proposed rezoning, I respectfully request that this zoning case be denied and that this email be shared with each Planning Commissioner in advance of the planned July 21<sup>st</sup> public hearing and each City Council Member in advance of the planned August 13<sup>th</sup> public hearing.

**Misty Ventura**  
23631 San Luis Pass Road  
Galveston, Texas

214.328.1101 - office  
214.450.8753 - cell  
[misty.ventura@svlandlaw.com](mailto:misty.ventura@svlandlaw.com)  
[www.svlandlaw.com](http://www.svlandlaw.com)

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PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

RECEIVED  
JUL 20 2020  
PLANNING

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS: \_\_\_\_\_

*Calvin D. Meeks*  
Signature of Property Owner

*4024-7<sup>th</sup> ST. BAY HARBOR*  
Address of property within notification area

*CAVIN D. MECKS*  
Printed Name

\_\_\_\_\_  
\*Contact Phone Number

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PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS: This property was zoned R-1 in 2015 for a reason, even after the RV park was underway. Please explain.

[Signature]  
Signature of Property Owner

4022 TIT  
Address of property within notification area

Russell J. Walla  
Printed Name

[Redacted]  
\*Contact Phone Number

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Attn: Adriel Montalvan

RECEIVED

JUL 20 2020

- I am in favor
- I am opposed
- I have no comment

PLANNING

20P-021  
July 21, 2020

COMMENTS: \_\_\_\_\_

Joe & Linda Trinkle  
Signature of Property Owner

24051 San Luis Pass Rd, Galveston  
Address of property within notification area

Joe & Linda Trinkle  
Printed Name

\_\_\_\_\_  
\*Contact Phone Number

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*Para preguntas o mayor información en español, comuníquese con el Departamento de Planificación de la Ciudad de Galveston al (409) 797-3645.*

Planning and Development Division  
PO Box 779 (823 Rosenberg Room 401)  
Galveston, Texas 77553-0934  
Attn: Adriel Montalvan

- I am in favor
- I am opposed
- I have no comment

20P-021  
July 21, 2020

COMMENTS:

*Alan O'Neill*

Signature of Property Owner

*23831 San Luis Pass*

Address of property within notification area

*ALAN O'NEILL*

Printed Name

[REDACTED]

\*Contact Phone Number

\*Please be advised that any and all comments received, are subject to the Texas Public Information Act. However, the contact phone number is to be used by Planning Staff only. You may be contacted regarding additional information and/or changes in meeting dates.

Please note local and state law requires that written notice of a public hearing shall be sent to each owner, as indicated by the most recently approved municipal tax roll. It is possible for property ownership to change as notices are generated. The City of Galveston will accept any notification of property owner changes in our offices for correction with regard to legal notice of planning and zoning cases.



## **PUBLIC COMMENT**

**Please note that some comments are from property owners within the notification area. Only one notice per property will be tallied.**



# City of Galveston

## Public Comment Form

**First Name \***

Jeffrey

**Last Name \***

Starling

**Email \***

[REDACTED]

**Phone \***

8173012958

**Street Address \***

24047 Termini San Luis Pass Rd

**City \***

Galveston

**State \***

Texas

**ZIP \***

77554

**Subject \***

Planning Commission 7/21/2020 Public Hearing 20P-021

**Comments \*** (?)

500 character maximum

We live directly across the street from subject property. We are against the zoning change from R1 to RES/REC.

If the zoning is changed to RES/REC, the 2015 LDR provides for 51 permitted uses, including Gas Stations, Bar, Condo, and Restaurants to name a few. This property is surrounded on 3 sides with R1 zoning. There are built out neighborhoods on two sides, Bay Harbor and Miramar. Commercial activity is not appropriate for residential neighborhoods.

Please do not approve this.



# City of Galveston

## Public Comment Form

**First Name \***

Misty

**Last Name \***

Ventura

**Email \***

misty.ventura@svlandlaw.com

**Phone \***

2143281101

**Street Address \***

23631 San Luis Pass Road/FM 3005

**City \***

Galveston

**State \***

TX

**ZIP \***

77554

**Subject \***

Zoning Case 20P-021

**Comments \*** (?)

500 character maximum

I am opposed to the rezoning of property located at 23700 San Luis Pass Rd to RES/REC. Such a rezoning is inconsistent with the recently approved 2015 zoning map amendments. Existing improvements are less than 300 feet to R-1 lots directly to the south of the subject property. Changing the zoning to RES/REC opens the door for the expansion of this incompatible use. It is likely that the incompatible commercial uses will expand if the rezoning is approved. Please deny this request.



# City of Galveston

## Public Comment Form

**First Name \***

West Galveston Island Property Owners  
Asso

**Last Name \***

Mohn

**Email \***

[REDACTED]

**Phone \***

409-737-5768

**Street Address \***

4210 Silver Reef

**City \***

Galveston

**State \***

Texas

**ZIP \***

77554

**Subject \***

New Business And Associated Public Hearings 20P-021 (23700 San Luis Pass Rd / FM 3005)

**Comments \* (?)**

500 character maximum

The West Galveston Island Property Owners Association is against a request in zoning change for 20P-021 (23700 San Luis Pass Rd / FM 3005) from Residential Single-Family (R-1) To A Resort/Recreation (RES/REC) Zoning District. The Fifty Five Hundred Association is a member of our organization and have members, (Miramar, Stravangar, Half Moon Beach) that live across the street from the RV Park. Thank you. Jerry Mohn President .

## Karen White

---

**From:** Planning Counter  
**Sent:** Tuesday, July 21, 2020 10:22 AM  
**To:** Adriel Montalvan  
**Subject:** FW: Reference 20P-021

-----Original Message-----

**From:** Mark Garza <[REDACTED]>  
**Sent:** Tuesday, July 21, 2020 10:21 AM  
**To:** Planning Counter <PlanningCounter@GalvestonTX.Gov>  
**Subject:** [EXTERNAL] Reference 20P-021

I am concerned with the reasoning of the parcel near my residence for the submission reference above. I am opposed to the change.

Regards,

Mark Garza  
23131 Fresca Avenue  
Galveston TX 77554



# City of Galveston

## Public Comment Form

**First Name \***

Dana

**Last Name \***

Kurtin

**Email \***

[REDACTED]

**Phone \***

7137249392

**Street Address \***

3710 Tradewinds Dr

**City \***

Galveston

**State \***

TX

**ZIP \***

77554

**Subject \***

Galveston Island RV Resort Request for Zoning Change - Oppose

**Comments \*** (?)

500 character maximum

I oppose the zoning change request for Galveston Island RV Resort, 23700 San Luis Pass Road.

The expansion is too close to residential homes in Bay Harbor.



# City of Galveston

## Public Comment Form

**First Name \***

Lisa

**Last Name \***

Porter

**Email \***

[REDACTED]

**Phone \***

2819247874

**Street Address \***

4301 Dorothy

**City \***

Bellaire

**State \***

Texas

**ZIP \***

77401

**Subject \***

RV Park Rezoning Request

**Comments \*** (?)

500 character maximum

I am the property manager for Terramar Beach CIA. We strongly object to the request for rezoning by the RV Park west of Bay Harbor. This request, if approved, will adversely affect the Terramar Beach community. There are already plenty of stores, gasoline opportunities, groceries, bars and liquor within one minute of the RV park. Please forward my comment to the planning committee. Thank you for your consideration.

Public Comment				
Case #	In favor	Opposed	Other	Comments
20P-016			X	<p><b>Lisa Carrell:</b> As homeowners in The Preserve at Grand Beach bordering Stewart Beach we request the project be amended to include:</p> <ol style="list-style-type: none"> <li>1) Existing bollards to the East of Stewart Beach be repositioned to the actual property lines of lots 10-12 and "Reserve G" as platted</li> <li>2) The City permit a sand fence along our seaward boundary to recover from the scraping of loose sand by the city and improperly routed traffic</li> <li>3) Limiting General vehicle access to the east as we have provided additional parking spaces at AP1C</li> </ol>
			X	<b>Michael Lutz:</b> Same as above.
			X	<p><b>Lisa Carrell:</b> As homeowners in The Preserve at Grand Beach we suggest the proposal be amended to:</p> <p>A) The proposed Catchment Swale B and Drainage ditches for the East Parking Area be extended northward to the North Easterly corner of the Stewart beach parcel to connect into the Seawall Boulevard/East Beach Drive drainage system. Recent dredging of the East Beach Drive ditches has greatly improved the drainage into the Appfel Park lagoon system. This would minimize seaward releases and erosion events.</p>
			X	<b>Michael Lutz:</b> Same as above.
			X	<p><b>Lloyd Martin:</b> No ad-jointing property owners were notified. Page 13 addresses two "existing concentrated water flows" When actually there are three and the one by us on East end of Stewart Beach is not addressed. The bollards need to be moved onto property line. What Park board has created wash out of beach in front of my house as excavating loose sand from vehicular travel. Past access on private property never been filled in. Beach access should be on Stewart Beach's side of the property boundary.</p>
			X	<p><b>Lloyd Martin:</b> The proposed drainage ditch, East end North and South is 5 feet wide at the bottom and 1.1 feet elevation at the bottom. Thus will always have water and will present mosquito heaven. What is the plan for mosquito control and maintenance? We have swarms of mosquitos now and this will greatly add to our situation. Why not do a test trench and you will see it will not work as we are dealing with the same situation in our subdivision. Water needs to drain to the East Lagoon.</p>
		X	<p><b>Lloyd Martin:</b> All their satellite and calculations up to 2012 and one place 2016 According to the U.T. Bureau of Economic Geology, this is a stable beach area. Between the 1950s and 2012, this beach area experienced an average shoreline change rate ranging from -1.5 to +0.9 feet per year.</p>	

				<p>When we know about 8 feet per year per survey 2019 some 50 feet since 2013 he elevation of the bottom of the drainage ditch next to us is 1.1 and 2 feet deep 5 feet wide at bottom</p> <p>So will always have water Mosquito heaven</p>
			X	<p><b>Lloyd Martin:</b> Since no public input only online and only 500 characters and no pictures, sending emails. Also, no adjacent property owners being notified. Page 13 addresses two “existing concentrated water flows” When actually there are three and the one by us on East end of Stewart Beach is not addressed. Pictures showing water flowing from parking lot and washing out beach. Access not aligned with property lines. Wash out and water flowing from parking lot caused by excavating beach access. We need the bollards realigned with the property line and sand fence to replace sand excavated.</p> <p>Page 10</p> <p>Showing what little vegetation berm.</p> <p>The bollards need to be realigned with the property line and a sand fence put up along property line to reestablish the vegetation dune that the Park Board was going to remove off Reserve G until I stopped them on a Saturday morning at 5 am. They had already removed the bollards that were in the dune well within Reserve G. Now if we did this, we would be required to put all back original as per city and state codes. Sand fence needs to be put up to restore back.</p> <p><b>Note from staff:</b> Photos provided by Mr. Martin are attached.</p>
			X	<p><b>Herb Walpole:</b> As owners in The Preserve at 47 Grand Beach, we request project be amended to include:</p> <ol style="list-style-type: none"> <li>1) Existing bollards at beach on east side Stewart be relocated to actual property line along Preserve Blk 2 lots 10&amp;11 on into Reserve G as platted. Originally suggested by engineer at GLO, Mr. Rajiv.</li> <li>2) City issue permit to sand fence along Preserve seaward boundary. City improperly excavated sand from lots 10&amp;11&amp; Reserve G for traffic</li> <li>3) Limit vehicular traffic thru same conduit to “Emergency only”.</li> </ol>
			X	<p><b>Herb Walpole:</b> As Preserve homeowners, we suggest existing plan be amended to include: Extend Catchment Swale B and drainage for East parking area northward, to the northeasterly corner of Stewart Beach parcel. Connect into Seawall Blvd/East Beach Dr. drainage. Recent cleanout of East Beach Dr ditches improved drainage into Apffel Park lagoon during nominal rainfall. Will minimize seaward releases and erosion. And limit stagnant water for mosquitos in same swale along west side of Preserve/East Stewart Pkng.</p>

20P-023			X	<b>Charles M. &amp; Joe Allen:</b> Questions for Planning Commission @ 3:30 p.m. Tuesday August 4, 2020. 1) How can my property be managed with sewer and electric lines on the corner of easement? 2) Will taxes on my property decrease, increase or stay the same with the addition of easement access?
---------	--	--	---	--



# City of Galveston

## Public Comment Form

**First Name \***

Lisa

**Last Name \***

Carrell

**Email \***

[REDACTED]

**Phone \***

8324536362

**Street Address \***

38 Grand Beach Boulevard

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

Stewart Beach Beachfront Construction/ / Dune Protection Permit

**Comments \* (?)**

500 character maximum

As homeowners in The Preserve at Grand Beach bordering Stewart Beach we request the project be amended to include:

- 1) Existing bollards to the East of Stewart Beach be repositioned to the actual property lines of lots 10-12 and "Reserve G" as platted
- 2) The City permit a sand fence along our seaward boundary to recover from the scraping of loose sand by the city and improperly routed traffic
- 3) Limiting General vehicle access to the east as we have provided additional parking spaces at AP1C



# City of Galveston

## Public Comment Form

**First Name \***

Michael

**Last Name \***

Lutz

**Email \***

[REDACTED]

**Phone \***

7135167999

**Street Address \***

38 Grand Beach Boulevard

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

Planning Commission agenda - Stewart Beach 20P-016

**Comments \*** (?)

500 character maximum

As homeowners in The Preserve at Grand Beach bordering Stewart Beach we request the project be amended to include:

- 1) Existing bollards to the East of Stewart Beach be repositioned to the actual property lines of lots 10-12 and "Reserve G" as platted
- 2) The City permit a sand fence along our seaward boundary to recover from the scraping of loose sand by the city and improperly routed traffic
- 3) Limiting General vehicle access to the east as we have provided additional parking spaces at AP1C



# City of Galveston

## Public Comment Form

**First Name \***

Lisa

**Last Name \***

Carrell

**Email \***

[REDACTED]

**Phone \***

832 452 6362

**Street Address \***

38 Grand Beach Boulevard

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

Stewart Beach Drainage Improvement 20P-016

**Comments \*** (?)

500 character maximum

As homeowners in The Preserve at Grand Beach we suggest the proposal be amended to:

A) The proposed Catchment Swale B and Drainage ditches for the East Parking Area be extended northward to the North Easterly corner of the Stewart beach parcel to connect into the Seawall Boulevard / East Beach Drive drainage system. Recent dredging of the East Beach Drive ditches has greatly improved the drainage into the Appfel Park lagoon system. This would minimize seaward releases and erosion events.



# City of Galveston

## Public Comment Form

**First Name \***

Michael

**Last Name \***

Lutz

**Email \***

[REDACTED]

**Phone \***

713 516 7999

**Street Address \***

38 Grand Beach Boulevard

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

Stewart Beach Drainage Improvement Plan 20P-016

**Comments \*** (?)

500 character maximum

As homeowners in The Preserve at Grand Beach we suggest the proposal be amended to:

A) The proposed Catchment Swale B and Drainage ditches for the East Parking Area be extended northward to the North Easterly corner of the Stewart beach parcel to connect into the Seawall Boulevard / East Beach Drive drainage system. Recent dredging of the East Beach Drive ditches has greatly improved the drainage into the Appfel Park lagoon system. This would minimize seaward releases and erosion events.



# City of Galveston

## Public Comment Form

**First Name \***

Lloyd

**Last Name \***

Martin

**Email \***

[REDACTED]

**Phone \***

512-636-3406

**Street Address \***

41 Grand Beach Blvd

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

20P-016 Stewart Beach Construction

**Comments \* (?)**

500 character maximum

No ad-jointing property owners were notified.

Page 13 addresses two "existing concentrated water flows" When actually there are three and the one by us on East end of Stewart Beach is not addressed.

The bollards need to be moved onto property line. What Park board has created wash out of beach in front of my house as excavating loose sand from vehicular travel. Past access on private property never been filled in. Beach access should be on Stewart Beach's side of property boundary.



# City of Galveston

## Public Comment Form

**First Name \***

Lloyd

**Last Name \***

Martin

**Email \***

[REDACTED]

**Phone \***

512-636-3406

**Street Address \***

41 Grand Beach Blvd

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

20P-016 Stewart Beach Construction

**Comments \* (?)**

500 character maximum

The proposed drainage ditch, East end North and South is 5 feet wide at the bottom and 1.1 feet elevation at the bottom. Thus will always have water and will present mosquito heaven. What is the plan for mosquito control and maintenance? We have swarms of mosquitoes now and this will greatly add to our situation. Why not do a test trench and you will see it will not work as we are dealing with the same situation in our subdivision. Water needs to drain to the East Lagoon.



# City of Galveston

## Public Comment Form

**First Name \***

Lloyd

**Last Name \***

Martin

**Email \***

[REDACTED]

**Phone \***

512-636-3406

**Street Address \***

41 Grand Beach Blvd

**City \***

Galveston

**State \***

TX

**ZIP \***

77550

**Subject \***

20P-016 Stewart Beach Construction

**Comments \* (?)**

500 character maximum

All their satellite and calculations up to 2012 and one place 2016  
According to the U.T. Bureau of Economic Geology, this is a stable beach area. Between the 1950s and 2012,  
this beach area experienced an average shoreline change rate ranging from -1.5 to +0.9 feet per year.  
When we know about 8 feet per year per survey 2019 some 50 feet since 2013  
he elevation of the bottom of the drainage ditch next to us is 1.1 and 2 feet deep 5 feet wide at bottom  
So will always have water Mosquito heaven

## Karen White

---

**From:** Lloyd Martin <[REDACTED]>  
**Sent:** Monday, August 3, 2020 4:57 PM  
**To:** Tim Tietjens; Catherine Gorman; Planning Counter; Dustin Henry; Craig Brown; David Collins  
**Cc:** [REDACTED]; 'Michael Jenkins'  
**Subject:** Planning Commission / 20P-016 Stewart Beach Construction  
**Attachments:** image.jpg; image.jpg; image.jpg; image.jpg; image.jpg; image.jpg; 10021.pdf; Bollard Survey and Relocation.pdf

Since no public input only online and only 500 characters and no pictures, sending emails. Also, no adjacent property owners being notified.

Page 13 addresses two "existing concentrated water flows" When actually there are three and the one by us on East end of Stewart Beach is not addressed.

Pictures showing water flowing from parking lot and washing out beach. Access not aligned with property lines.

Wash out and water flowing from parking lot caused by excavating beach access.

We need the bollards realigned with the property line and sand fence to replace sand excavated.

Page 10

Showing what little vegetation berm.

The bollards need to be realigned with the property line and a sand fence put up along property line to reestablish the vegetation dune that the Park Board was going to remove off Reserve G until I stopped them on a Saturday morning at 5 am. They had already removed the bollards that were in the dune well within Reserve G.

Now if we did this, we would be required to put all back original as per city and state codes.

Sand fence needs to be put up to restore back.

Lloyd Martin  
41 Grand Beach Blvd  
512-636-3406













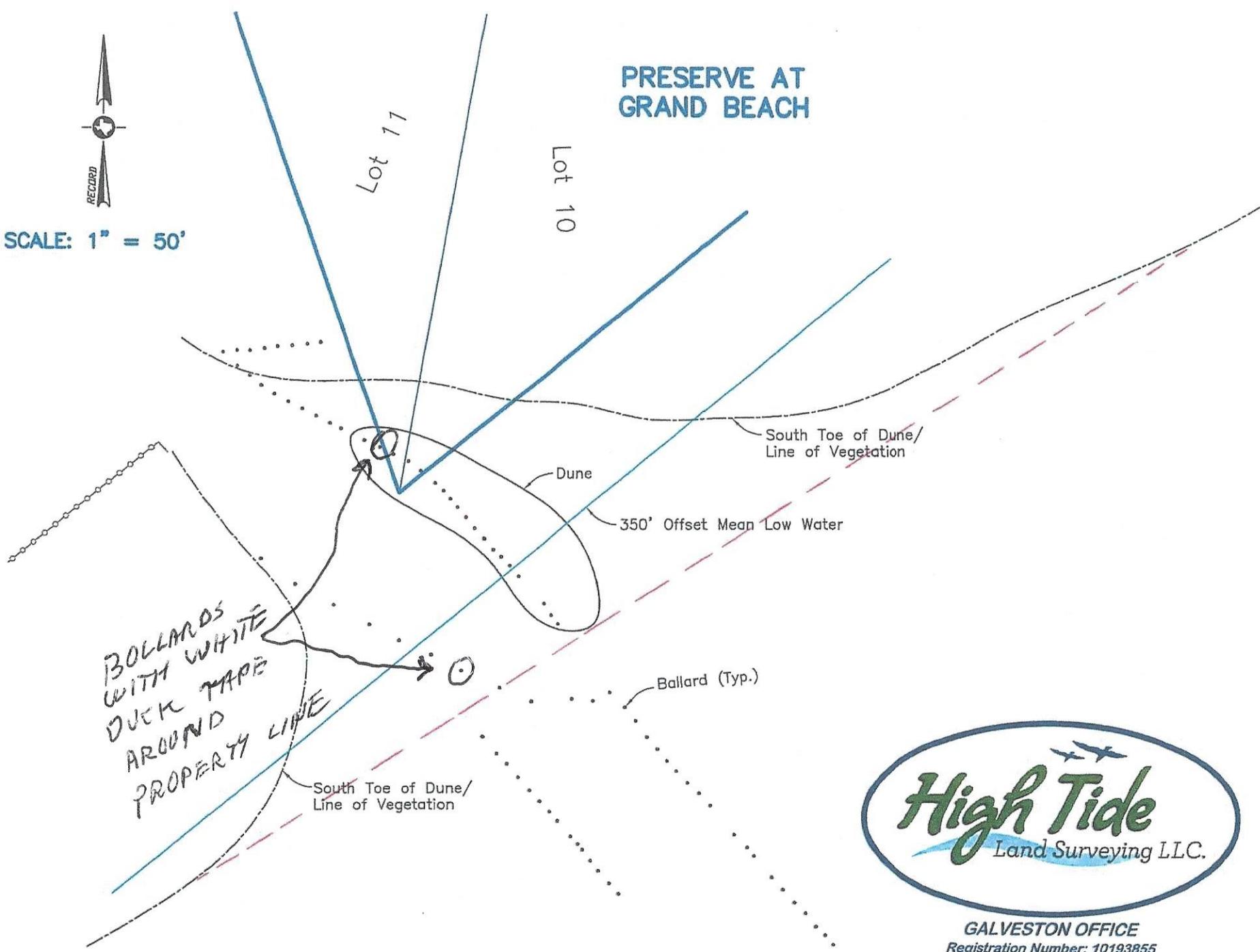
# PRESERVE AT GRAND BEACH



SCALE: 1" = 50'

Lot 17

Lot 10



BOLLARDS WITH WHITE DUCK TAPE AROUND PROPERTY LINE

South Toe of Dune/  
Line of Vegetation

Dune

350' Offset Mean Low Water

Ballard (Typ.)

South Toe of Dune/  
Line of Vegetation



**GALVESTON OFFICE**

Registration Number: 10193855

(409) 740-1517 [www.hightidelandsurveying.com](http://www.hightidelandsurveying.com)

8017 HARBORSIDE DRIVE | GALVESTON, TX 77554

Mailing | P.O. BOX 16142 | GALVESTON, TX 77552



# PRESERVE AT GRAND BEACH

SCALE: 1" = 50'

DRIVE WAY ACCESS  
ALL ON STEWARD  
BEACH SIDE

Lot 11

Lot 10

#1 SURVEY STAKE

#2 SURVEY STAKE

ACCESS

ROAD

South Toe of Dune/  
Line of Vegetation

Dune

350' Offset Mean Low Water

PULL THESE BOLLARDS  
TO RELOCATE  
ON PROPERTY LINE

RELOCATION OF BOLLARDS

PARK BOARD PULLED  
THESE BOLLARDS  
STORED IN PAVILION

South Toe of Dune/  
Line of Vegetation

Ballard (Typ.)

REMOVE AND  
USE ON  
RELOCATED  
BOLLARDS

BOLLARDS

#3 SURVEY STAKE  
SEAWARD OF  
"DUNE"



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



# City of Galveston

## Public Comment Form

**First Name \***

Herb

**Last Name \***

Walpole

**Email \***

herb@centurymillwork.com

**Phone \***

7136142043

**Street Address \***

18927 Aldine Westfield Rd

**City \***

Houston

**State \***

Texas

**ZIP \***

77073

**Subject \***

Stewart Beach Proposed Renovations/Excavation

**Comments \* (?)**

500 character maximum

As owners in The Preserve at 47 Grand Beach, we request project be amended to include: 1) Existing bollards at beach on east side Stewart be relocated to actual property line along Preserve Blk 2 lots 10&11 on into Reserve G as platted. Originally suggested by engineer at GLO, Mr. Rajiv. 2) City issue permit to sand fence along Preserve seaward boundary. City improperly excavated sand from lots 10&11& Reserve G for traffic 3) Limit vehicular traffic thru same conduit to "Emergency only".



# City of Galveston

## Public Comment Form

**First Name \***

Herb

**Last Name \***

Walpole

**Email \***

herb@centurymillwork.com

**Phone \***

7136142043

**Street Address \***

18927 Aldine Westfield Rd

**City \***

Houston

**State \***

Texas

**ZIP \***

77073

**Subject \***

Stewart Beach Proposed Parking Renovations

**Comments \*** (?)

500 character maximum

As Preserve homeowners, we suggest existing plan be amended to include: Extend Catchment Swale B and drainage for East parking area northward, to the northeasterly corner of Stewart Beach parcel. Connect into Seawall Blvd/East Beach Dr. drainage. Recent cleanout of East Beach Dr ditches improved drainage into Apffel Park lagoon during nominal rainfall. Will minimize seaward releases and erosion. And limit stagnant water for mosquitoes in same swale along west side of Preserve/East Stewart Pkng.



# City of Galveston

## Public Comment Form

**First Name \***

Charles M. & Joe Allen

**Last Name \***

Cooper

**Email \***

[REDACTED]

**Phone \***

2814381876 7138296875

**Street Address \***

3714 East Creek Club

**City \***

Missouri City

**State \***

Texas

**ZIP \***

77459

**Subject \***

Public hearing for replat on 21702 San Luis Pass Road/FM 3005, Galveston Texas

**Comments \*** (?)

500 character maximum

Questions for Planning Commission @ 3:30 p.m. Tuesday August 4, 2020.

- 1) How can my property be managed with sewer and electric lines on the corner of easement?
- 2) Will taxes on my property decrease, increase or stay the same with the addition of easement access?

Contact me @ 281-438-1876 if you have any questions.

Thank You,

Charles Melba Cooper



## 20BF-051

## STAFF REPORT

### ADDRESS:

Kahala Beach Estates,  
19166 Kahala Dr. –  
19126 Kahala Dr.

### LEGAL DESCRIPTION:

The legal description of the property is Sur Tr (0-1), Beach Area, Kahala Beach Estates, a subdivision located in the City and County of Galveston, TX.

### APPLICANT/REPRESENTATIVE:

Sunrise Beach Cleaning,  
Santiago Mejia

### PROPERTY OWNER:

City of Galveston

### REQUEST:

Beachfront Construction Certificate/Dune Protection Permit for Annual Beach Maintenance.

### APPLICABLE LAND USE REGULATIONS:

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

### STAFF RECOMMENDATION:

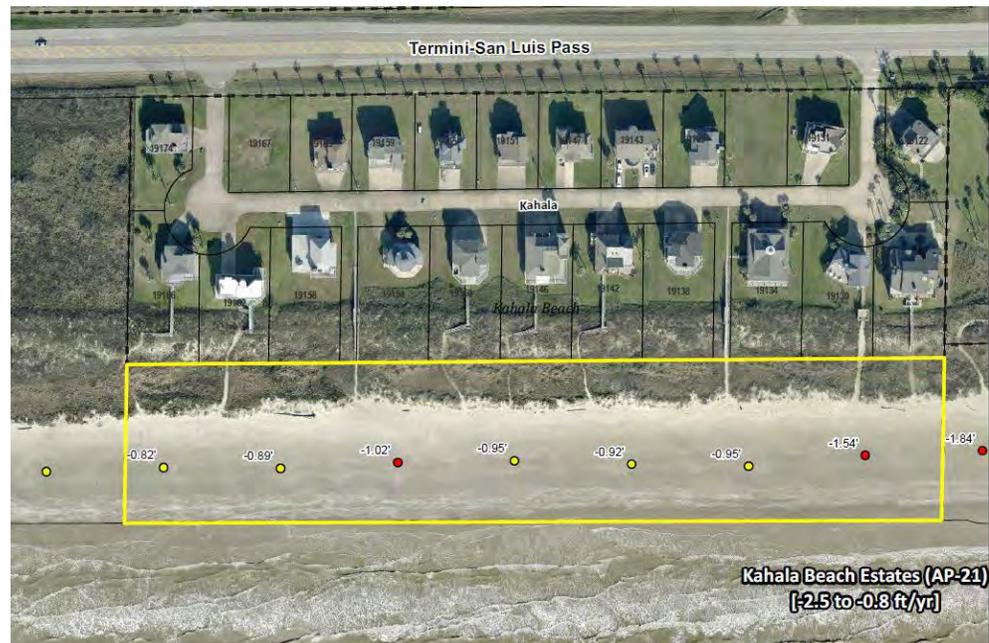
Approval with Conditions

### EXHIBITS:

- A – Aerial Map
- B – Narrative, Site Plan
- C – Photos
- D – GLO Comments

### STAFF:

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



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

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

### Executive Summary:

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

The applicant is requesting approval to conduct annual beach maintenance activities on approximately 1,200 linear feet of public beach located south of the Kahala Beach Estates Subdivision. The proposed beach maintenance activities will begin at 19166 Kahala Drive and end at 19126 Kahala Drive. The proposed beach maintenance area is seaward of the Dune Protection Line and within the Planning Commission review area. The applicant proposes to conduct beach maintenance during the following times: weekly beach maintenance activities during the months of June through August; twice-monthly beach maintenance activities during April, May, and September; and monthly beach maintenance activities October through March.

According to the Bureau of Economic Geology, the area is stable to eroding at a rate of one to two feet per year.

**Background:**

The Kahala Beach Estates Subdivision consists of two sections – Kahala Beach Estates and Kahala Beach Estates Addition One, as shown on Attachment A. The Kahala Beach Estates Addition One received a beachfront permit on April 22, 2020 for case 20BF-019 in order to participate in the Galveston Park Board of Trustees (Park Board) Extreme Inundation of Seaweed Program. The permit issued included the beach area beginning at 19003 Kahala Beach Drive and ending at 19097 Kahala Beach Drive. The Extreme Inundation of Seaweed Program involves the Park Board conducting beach maintenance activities in the event of an extreme inundation of seaweed along approximately 1,849 linear feet of beach located south of the Kahala Beach Estates Addition One. The applicant did not propose to conduct any additional beach maintenance except that which would be provided by the Park Board.

**Site and Surrounding Area:**

The subject site totals approximately 1,200 linear feet of public beach located south of the Kahala Beach Estates Subdivision beginning at 19166 Kahala Drive and ending at 19126 Kahala Drive. The Kahala Beach Estates Subdivision is located to the North of the proposed beach maintenance area and beach area is located to the South, East, and West.

The subject site is a city-owned parcel. The City Manager granted authorization of the scheduled beach maintenance activities on July 24, 2020 for Planning Commission review and consideration of approval.

**Analysis:**

The table below summarizes details from the applicant site plan and narrative (Attachment “B”) regarding the proposed annual beach maintenance area in linear feet:

Location	Linear Feet
Kahala Beach Estates Subdivision	1,200

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

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

The request conforms to the City of Galveston’s Dune Protection and Beach Access Plan, and Erosion Response Plan. The site plan and narrative, Attachment B, are submitted with this request.

Staff reviewed the application materials. Staff finds no prohibited activities seaward of the Dune Protection Line proposed with this request.

Staff recommends the removal of litter and other debris by handpicking or hand racking when possible. Handpicking and hand racking does not require a permit.

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

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

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

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

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

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

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

Staff finds that the proposed beach maintenance activity will not materially weaken dunes or materially damage dune vegetation as defined by these Technical Standards. The applicant proposes to conduct beach maintenance only at scheduled times.

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

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

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

According to the application materials, the entirety of the proposed beach maintenance activities will be located seaward of the Dune Protection Line at scheduled times. Therefore, staff does not anticipate any adverse impacts to dunes or dune vegetation are anticipated.

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

Staff finds that the proposed activity will not materially weaken dunes or materially damage dune vegetation and no adverse impacts to dunes or dune vegetation are expected. The applicant proposes to conduct beach maintenance only at scheduled times.

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

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

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

This standard does not apply. The applicant is proposing annual beach maintenance activities.

**Staff Recommendation:**

Staff recommends approval of 20BF-051 with the following conditions:

*Specific Conditions to Case 20BF-051:*

1. Removal or destruction of dune vegetation within the area seaward of the Dune Protection Line is prohibited (per Section C of the City's Dune Protection & Beach Access Plan). Chapter 8 of Municipal Code prohibits the operation of a motor vehicle upon, over, or across a sand dune (Sec. 8-4), and prohibits the operation or parking of a vehicle within ten feet of the dune line (Sec. 8-3(f)).
2. The applicant may only rake the beach to conduct beach maintenance activities. Beach maintenance activities are defined as the cleaning or removal of debris from the beach. The applicant may not rake the beach at a greater frequency than proposed in the application.
3. The applicant's activities must not result in significant redistribution of sand or significantly alter the beach profile, materially weaken dunes or dune vegetation, or reduce the protective function of dunes.
4. If heavy machinery is required, the rake height must be adjusted to allow the rake teeth to draw man-made and naturally occurring debris into piles or windrows, while at the same time minimizing the amount of sand moved from the beach.
5. The applicant is prohibited from relocating any sand off site and must return any sand moved or redistributed due to beach maintenance activities to the area between the line of vegetation and mean high tide.
6. The applicant shall avoid impacts to any dunes or dune vegetation and may not rake over dune vegetation or operate machinery on dunes. Collected maintenance materials should be thinly spread and not placed in large piles. Collected maintenance materials shall be placed in low areas, blowouts and breaches within the primary dune complex. If maintenance materials cannot be placed in the primary dune complex or its placement would adversely affect dunes and dune vegetation, the collected maintenance materials may be placed immediately adjacent to the line of vegetation provided its placement would not adversely affect public access.
7. The proposed beach maintenance activities must not restrict or interfere with the public use of or access to the beach or the dedicated pedestrian pathways to the beach for public use.
8. The applicant's beach maintenance activities must not result in the potential for increased flood damage to the site or adjacent property; result in runoff or drainage patterns that aggravate erosion; cause significant changes to dune hydrology; adversely affect dune complexes or dune vegetation; or significantly increase the potential for washovers or blowouts to occur.

*Standard Conditions:*

9. Work approved under this permit shall be completed within one (1) year from the date this permit is issued. If work is not completed in this time period, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate/Dune Protection Permit, unless an extension of the period, prior to the expiration, has been submitted to the Texas General Land Office for review and approved by the City;
10. Any alterations to the project, as approved, shall return to the Planning Commission and/or Texas General Land Office for additional review and approval;
11. The applicant shall coordinate any/all dune enhancement plans with the Development Services Department; and,
12. The applicant must adhere to all aspects of Section 29: Planning-Beach Access Dune Protection & Beachfront Construction.

**ERP PRACTICABLE DEFINITION**

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

**TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)**

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

Respectfully Submitted,

*Virginia Greb*

\_\_\_\_\_  
Virginia Greb  
Coastal Resources Assistant Manager

07/27/2020

\_\_\_\_\_  
Date

*Cathy*

\_\_\_\_\_  
Catherine Gorman, AICP  
Assistant Planning Director / HPO

07/27/2020

\_\_\_\_\_  
Date

# Attachment A

## Aerial Map

**Kahala Beach Estates**  
**19166 Kahala Dr. -**  
**19126 Kahala Dr.**  
**Case #20BF-061**

**Aerial & BEG Map**

**Legend**

**End Point Rate (ft/yr)**

- Eroding (-1ft or more)
- Stable (-1 to +1ft)
- Accreting (+1ft or more)

- Parcels
- Subdivisions



0 50 100 200 300 Feet

1 inch = 172 feet

**Data Sources:**

*Aerial Imagery and Parcel Data from Galveston CAD,  
 Shoreline Change Data from U.T. Bureau of Economic  
 Geology, Flood Insurance Rate Map from FEMA.*

**Map prepared by the City of Galveston  
 Development Services Department (VGreb) -**

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.





Attachment B  
Narrative  
&  
Site Plan



2724 61<sup>st</sup> St. #71  
Galveston, TX 77551

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**Application narrative and applicant's justification for request:**

Sunrise beach cleaning intend to perform the Beach Cleaning task.

**SCHEDULE;**

The cleaning will be on a monthly basis in October, November, December, January, February and March. Twice a month in April, May and September.

Weekly in June, July and August.

Sunrise beach cleaning uses a Barber Beach Rake which only removes Seaweed without removing sand from the beach. A picture of the equipment is attached. The linear footage to be raked is approximately 1200 feet. The relocation of the Seaweed will be distributed as evenly as possible throughout the entire length of the beach adjacent to the Kahala Beach Subdivision. The operator of the equipment will remove trash and debris from the beach and deposit them in appropriate receptacles.

We will have an experience and certified person watching for nesting sea turtles. Our staff are certified turtle monitor with certification attached, will observe the work to avoid disturbance of any nesting turtles.

A Site plan/Map is attached, indicating the correct location of the Dune, line of vegetation and indicate the proposed location for the placement of the seaweed. **The proposed area to be clean along the width of the beach is, beginning 10ft away from the line of vegetation towards the water and ending at the 3ft of elevation line. Beach maintenance will be from east to west and vice versa, depending where trash, debris and seaweed is located.** Photographs starting from the east of the subdivision showing every 200 feet, beach looking west from the water to the Dunes and looking from the water line directly at the Dune are attached.

The proposed activity will not adversely affect the public or public access way or exacerbate erosion. The sand will remain between the line of vegetation and the mid high tide. The activity will not adversely weaken the Dune or Dune vegetation or reduce the protective function of the Dune. The activity in a significant reduction of sand. The activity will not significantly alter the beach profile on the line of vegetation.

Without relocating the seaweed on the beach, it is impossible for residents or tourists to enjoy the beach as it is full of seaweed, debris and insects. It is felt that this will be a significant contribution to the welfare and maintenance of the beach which will allow both residents and tourist to enjoy the beach and at the same time increase the image of Galveston Beaches to the public.



- Line of vegetation
- Proposed Area to be maintained, away 10ft. from line of vegetation
- A = west of the subdivision, address 19166 Kahala Dr. this is the start point.
- B = East of the subdivision, address 19126 Kahala Dr. this is the end point.



Seaweed Relocation

Kahala Beach Est, Galveston, TX

Show search results for Kahala Beach...



Legend

- Beach\_Survey**
- North Toe of Dune (NTD)
- Topography
- 1ft
- 5ft
- Approximate Vegetation Line
- South Toe of Dune (STD)
- Mean High Water (MHW)
- Mean Low Water (MLW)
- 3ft Contour



100ft  
+3,242,116.874 13,627,493.558 Feet

# Attachment C

## Photos



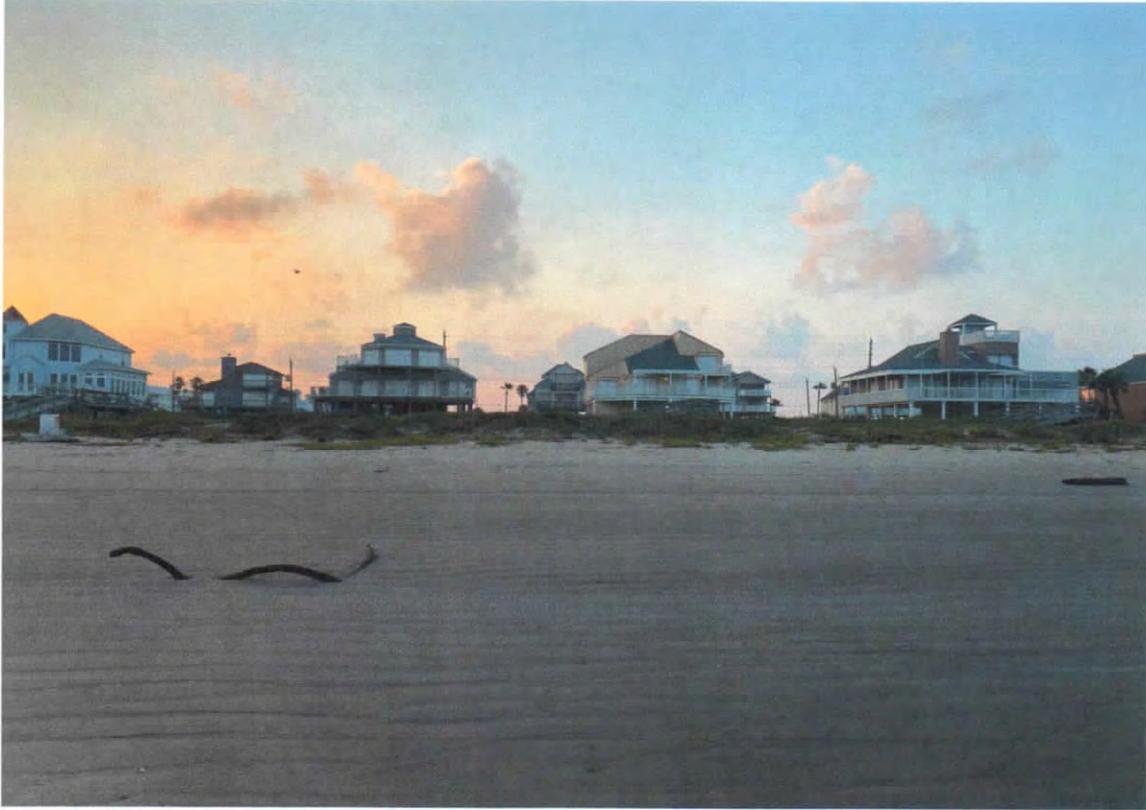
















**Attachment D**  
**GLO Comment Letter**



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

June 30, 2020

Via Electronic Mail

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

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

**Site Address:** 19166 Kahala Drive – 19126 Kahala Drive, Galveston  
**Legal Description:** ABST 121 Hall & Jones Sur TR 1 (0-1) Beach Area Kahala Beach Estates  
**Lot Applicant:** Kahala Beach Estates Home Owners Associate, Inc. c/o Sunrise Beach Cleaning –  
Santiago Mejia  
**Case Number:** 20BF-051  
**GLO ID No.:** BDCOG-20-0168

Dear Ms. Greb:

The General Land Office (GLO) has reviewed the application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to rake approximately 1,200 linear feet of public beach in front of Kahala Estates to collect seaweed and debris monthly in January through March and October through December, twice a month in April, May and September, and weekly in June through August. According to the Bureau of Economic Geology, the area is eroding at a rate of one to two feet per year.

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

- The applicant may only rake the beach for the purpose of conducting beach maintenance activities, which are defined as the cleaning or removal of debris from the beach.<sup>1</sup> At such times that beach maintenance is required, the applicant may not rake the beach at a greater frequency than proposed. Should there be a need for additional beach maintenance conducted outside of the schedule provided in the application materials or should the applicant propose to extend the portion of the beach where work will be performed, the applicant must obtain a new or amended beachfront construction certificate and dune protection permit from the City.<sup>2</sup>
- The applicant's activities must not result in significant redistribution of sand or significantly alter the beach profile, materially weaken dunes or dune vegetation, or reduce the protect function of

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<sup>1</sup> 31 Tex. Admin. Code § 15.2(10).

<sup>2</sup> 31 Tex. Admin. Code § 15.3(t)(4).

dunes.<sup>3</sup> To avoid significantly altering the beach profile, the applicant must minimize the raking of the beach to only when the influx of materials is heavy enough to impact the public's ability to use the public beach easement.

- The GLO encourages the removal of litter and other debris by handpicking and strongly discourages the use of machines which disturb the natural balance of gains and losses in the sand budget and the natural cycle of nutrients.<sup>4</sup>
- If heavy machinery is required, the rake height must be adjusted to allow the rake teeth to draw man-made and naturally occurring debris into piles or windrows, while at the same time minimizing the amount of sand moved from the beach.<sup>5</sup>
- The applicant is prohibited from relocating any sand off site<sup>6</sup> and must return any sand moved or redistributed due to beach maintenance activities to the area between the line of vegetation and mean high tide.<sup>7</sup>
- The applicant shall avoid impacts to any dunes or dune vegetation<sup>8</sup> and may not rake over dune vegetation or operate machinery on dunes. Collected maintenance materials should be thinly spread and not placed in large piles. The GLO recommends placing collected maintenance materials in low areas, blowouts and breaches within the primary dune complex. If maintenance materials cannot be placed in the primary dune complex or its placement would adversely affect dunes and dune vegetation, the collected maintenance materials may be placed immediately adjacent to the line of vegetation provided its placement would not adversely affect public access.
- The proposed beach maintenance activities must not restrict or interfere with the public use of or access to the beach or the dedicated pedestrian pathways to the beach for public use.<sup>9</sup>
- The applicant's beach maintenance activities must not result in the potential for increased flood damage to the site or adjacent property; result in runoff or drainage patterns that aggravate erosion; cause significant changes to dune hydrology; adversely affect dune complexes or dune vegetation; or significantly increase the potential for washovers or blowouts to occur.<sup>10</sup>
- In addition to the requirements outlined above, the applicant must conduct activities in accordance with other local, state, or federal regulations and permits, such as permits issued by the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers. This permit application does not authorize any activities within USACE jurisdiction.

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<sup>3</sup> 31 Tex. Admin. Code § 15.7(l).

<sup>4</sup> 31 Tex. Admin. Code § 15.7(l).

<sup>5</sup> City of Galveston Beach Access § 29-90(o)(6)(d)(1).

<sup>6</sup> 31 Tex. Admin. Code § 15.4(c)(1).

<sup>7</sup> 31 Tex. Admin. Code § 15.7(l).

<sup>8</sup> 31 Tex. Admin. Code § 15.4(f).

<sup>9</sup> City of Galveston Beach Access Plan Appendix A.

<sup>10</sup> 31 Tex. Admin. Code § 15.4(d).

- The beach maintenance activities appear to be proposed in an area where sea turtle nesting habitat is located. The GLO recommends that the applicant take measures to avoid violating the Endangered Species Act, such as utilizing a sea turtle monitor with appropriate training and notifying a nest patrol and detection program prior to cleaning the beach.
- According to the Galveston County Appraisal District Records, the applicant is not the legal owner of the property on which beach maintenance activities are proposed. As the owner, the City must authorize the activities before issuing a permit.

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

Sincerely,



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

cc: Dustin Henry, Coastal Resources Manager



## 20P-016

## STAFF REPORT

**ADDRESS:**

201 Seawall Blvd, Stewart Beach

**LEGAL DESCRIPTION:**

See Attachment "A"

**APPLICANT/REPRESENTATIVE:**

Galveston Park Board of Trustees, Sheryl Rozier

**PROPERTY OWNER:**

City of Galveston

**REQUEST:**

Beachfront Construction Certificate/Dune Protection Permit for construction of improvements to the park associated with a drainage improvement project.

**APPLICABLE LAND USE REGULATIONS:**

**REGULATIONS:**

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

**STAFF RECOMMENDATION:**

Approval with Conditions

**EXHIBITS:**

- A – Legal Description & Aerial Map
- B – Narrative
- C – Site Plan and Drawings
- D – GLO Comment Letter

**STAFF:**

Dustin Henry, AICP  
Coastal Resources Manager  
DHenry@GalvestonTX.gov



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

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**Executive Summary:**

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

The applicant is requesting approval to construct improvements to Stewart Beach Park associated with a drainage improvement project. The construction activities are proposed in areas of the public park located seaward of the Dune Protection Line and within the Planning Commission review area.

Site improvements proposed include resurfacing existing asphalt park roadways, improving ditches, placing additional beach quality sand to raise elevations to parking areas and improve drainage conditions, construction of a vegetated catchment swale, and construction of crossovers over the swale to provide pedestrian and vehicle ingress/egress to the beach. The applicant's narrative (Attachment "B") describes the proposed activities in more detail.

### **Site and Surrounding Area:**

The subject site totals approximately 2,338 linear feet of beach at the area commonly known as Stewart Beach Park. The Galveston Seawall and Seawall Boulevard are located to the North, the Gulf of Mexico to the South, the Preserve at Grand Beach subdivision to the East, and the beach area commonly known as Porretto Beach to the West.

According to the U.T. Bureau of Economic Geology, this is a stable beach area. Between the 1950s and 2012, this beach area experienced an average shoreline change rate ranging from -1.5 to +0.9 feet per year.

### **Analysis:**

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

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

The request conforms to the City of Galveston's Dune Protection and Beach Access Plan, and Erosion Response Plan. The narrative and site plan, (Attachment "B"), are submitted with this request.

Staff has reviewed the application materials and have identified no prohibited activities seaward of the Dune Protection Line as defined by §(j) of the Plan.

Use of asphalt to resurface the roads in the park in this instance is permissible because these standards exempt the installation or maintenance of public beach access roads.

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

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

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

The Technical Standards also state that the Planning Commission should take into consideration all comments from the Texas General Land Office when deciding whether to grant a Beachfront Construction Certificate/Dune Protection Permit. The GLO has provided a comment letter for this application (Attachment "D").

Existing conditions of the park and surrounding area have resulted in undesirable drainage patterns that have aggravated erosion to the beach and parking areas. Additionally, ponding water and flooding will periodically make Stewart Beach (Access Point #2) and the adjacent Special Use Area (Access Point #1C) inaccessible to vehicular access and parking. The Stewart Beach Park manager reported that the parking areas were flooded for 45 of the 213 days the park was open between the months of March and September in 2019.

One of the main purposes of this project, according to the narrative (Attachment "B"), is to improve drainage conditions to the park for the intended purpose of improving public beach access and to mitigate the frequency and severity of scour and erosion that is experienced from stormwater runoff. Existing runoff is uncontrolled and unmanaged. The project improvements intend to capture stormwater that collects in the parking areas, reroute it to improved ditches, and allow for percolation in order to slow, redirect, and control stormwater flows. In the event that the catchment swale exceeds capacity and is overtopped, the project is designed to sheet flow runoff seaward of the park and to the Gulf of Mexico.

Staff finds this project, as designed and proposed, will not materially weaken dunes or materially damage dune vegetation, as defined in these Technical Standards. This project is intended to mitigate current conditions at Stewart Beach Park, which is currently subjected to unmanaged runoff and drainage patterns from upland property and streets that aggravate erosion and impair the public's ability to access and use the beach. Following completion of the project, the applicant will implement a Monitoring and Maintenance Plan in order to ensure performance of the improvements.

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

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

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

The Park Board earlier this year sought and received a Beachfront Construction Certificate/Dune Protection Permit (19BF-086) from the Planning Commission for annual beach maintenance activities, which included the removal of stockpiled beach maintenance materials along the bollard line that delineates the parking areas from the pedestrian-only beach areas. Vegetation on these stockpiles will be mitigated in accordance to the conditions of approval for that previously approved permit, and will be completed prior to the commencement of the construction of the improvements associated with this request.

The application materials indicate that there are no other dunes or dune vegetation present in the project area, therefore the applicant's comprehensive mitigation plan is to completely avoid any impacts, as described in the narrative (Attachment "B").

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

There are no adverse effects to dunes or dune vegetation proposed with this request.

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

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

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

No habitable structures or additional amenities are proposed with this request. The only structures associated with this request are pedestrian and emergency vehicle crossovers, which are intended to serve as a means of ingress and egress over the seaward-most catchment swale and to the beach for pedestrians from parking areas, for emergency vehicles, and for vehicular traffic to/from the Special Use Area (Access Point #1-C).

**Beach Access:**

Stewart Beach Park is designated as Access Point #2 in the City's Beach Access Plan, providing designated on-beach areas for vehicle parking and pedestrian-only beach areas for an area of beach approximately ½-mile in length. The east side of the park also serves as an ingress and egress point for vehicular traffic to the ½-mile of beach designated as Access Point #1-C.

An area where vehicles have historically parked on the beach is proposed to become a catchment area for drainage (referred to as Catchment Area "A" on the site plan). The applicant is proposing to dedicate additional parking areas beyond the main driving aisles for vehicular parking to compensate for any periodic loss of parking in this area when it functions as a catchment.

The applicant is proposing to construct five (5) pedestrian and two (2) vehicular crossovers in order to preserve and enhance accessibility for pedestrians to the pedestrian-only beach and for vehicular ingress/egress to the beach at Access Point #1-C. The crossovers generally appear to conform to the dune walkover standards in §(e) of the City's Plan, and alternative design standards for dune walkovers for public use can be administratively approved.

Staff finds these proposed improvements to Stewart Beach Park satisfy the criteria for determining beach access is preserved found in [31 Tex. Admin. Code § 15.7\(h\)](#):

- Parking on or adjacent to the beach is adequate to accommodate one car for each 15 linear feet of beach.
- Where vehicles are prohibited from driving on and along the beach, ingress/egress access ways are no farther apart than ½ mile.
- Signs are conspicuously posted which explain the nature and extent of vehicular controls, parking areas, and access points, including access for disabled persons.

The duration of construction for this project is anticipated to be approximately three (3) months. Due to the nature of the project, it is anticipated that there will be temporary restrictions to public access to the beach associated with work being performed on public access roads and parking areas. The applicant will be expected to minimize any temporary restrictions to public access to the beach to the greatest extent possible, provide alternative beach access throughout the extent of the project, and temporarily post conspicuous signage at the park that explains the nature and extent of the temporary beach access closures and directs the public to alternative beach access areas.

**Staff Recommendation:**

Staff recommends approval of 20P-016 with the following conditions:

*Specific Conditions to Case 20P-016:*

1. The applicant shall coordinate any plans for temporary beach access closure and providing temporary alternative beach access and associated signage with the Department of Development Services, and shall minimize any temporary restrictions to public access to the beach to the greatest extent possible;
2. The applicant shall obtain a building permit for the construction of the crossovers.

*Standard Conditions:*

3. Work approved under this permit shall be completed within three (3) years of the date the permit was issued. The applicant shall submit an annual written report to the City on the progress of the construction project and compliance with the approved permit. The report shall be submitted no later than one (1) year from the date the permit was issued, with subsequent reports submitted thereafter. If work is not completed within this timeframe, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate/Dune Protection Permit, unless an extension of the period, prior to the expiration, has been submitted to the Texas General Land Office and approved by the City.;
4. Any alterations to the project, as approved, shall return to the Department of Development Services, Planning Commission and/or Texas General Land Office for additional review and approval;
5. The applicant shall coordinate any/all dune enhancement plans with the Development Services Department; and,
6. The applicant must adhere to all aspects of Section 29: Planning-Beach Access Dune Protection & Beachfront Construction.

**ERP PRACTICABLE DEFINITION**

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

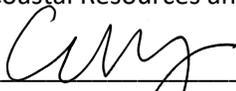
**TEXAS ADMINISTRATIVE CODE PRACTICABLE DEFINITION 15.2(57)**

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

Respectfully Submitted,

  
 \_\_\_\_\_  
 Dustin Henry, AICP  
 Coastal Resources and Floodplain Manager

July 29, 2020  
 \_\_\_\_\_  
 Date

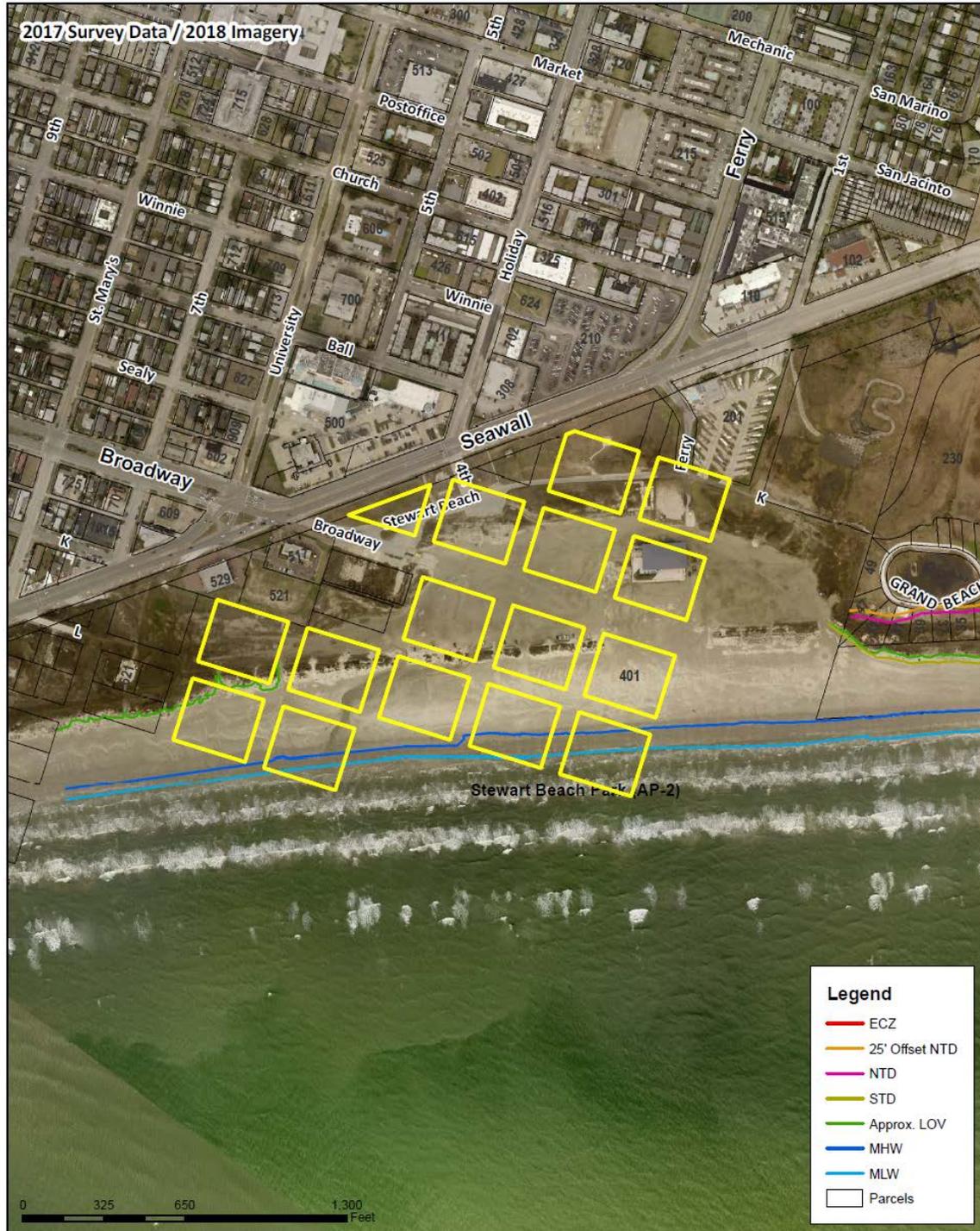
  
 \_\_\_\_\_  
 Catherine Gorman, AICP  
 Assistant Planning Director / HPO

July 29, 2020  
 \_\_\_\_\_  
 Date

# Attachment "A"

## Legal Description of Stewart Beach Park

Property is legally described as follows: Abst 628 Page 141 & 142 M Menard Sur TR 59 7.909 Acrs; Abst 628 M B Menard Sur (241-0-0) Blk 241 Galveston; Abst 628 M B Menard Sur (242-0-0) Blks 242 & Pt of 243 Galveston; Abst 628 M B Menard Sur (242-0-0) Blks 242 & Pt of 243 Galveston; Abst 628 M B Menard Sur (183-0-0) Blk 183 Galveston; Abst 628 M B Menard Sur (182-0-0) Blk 182 Galveston; Abst 628 M B Menard Sur (181-0-0) Blk 181 Galveston; Abst 628 M B Menard Sur (121-0-0) Blk 121 Galveston; Abst 628 M B Menard Sur (122-0-0) Blk 122 Galveston; Abst 628 M B Menard Sur (123-0-0) Blk 123 Galveston, a subdivision in the City and County of Galveston, Texas.



**Stewart Beach, 201 Ave K (Case #19BF-086)**  
 Map prepared by the City of Galveston Development Services Department (VGrab) - 2/21/2020  
 Data Sources: Topographic Data from Atkins July 2017 wading depth surveys, 2018 Aerial Imagery and Parcel Data from Galveston CAD

This product is for informational purposes only 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.

**Park Board of Trustees of the City of  
Galveston**

**Beachfront Construction Certificate / Dune Protection Permit Application  
Application  
Narrative**

**Stewart Beach Parking Area Drainage  
Project  
201 Avenue K Galveston,  
Texas**

The Park Board of Trustees of the City of Galveston is seeking a Beachfront Construction Certificate and Dune Protection Permit from the City of Galveston for activities associated with the Stewart Beach Parking Area Drainage Project at Stewart Beach Park (SBP).

The proposed project location has been a public park dating back to the early 1940's and the general public has the expectation the Park area will be clean, well maintained, safe and drained. The parking areas in SBP become impassable and underutilized due to ponding water during rain events and several days post rain event, with uncontrolled flows causing deep scouring and erosion on to the beachfront. During some flooding events SBP has to be closed due to public safety. In 2019 during high season, when the park was in full swing, SBP was closed for 45 days; which significantly impacted the car counts which reflects on the revenue for the park.

The project's purpose is to improve drainage conditions and public access in the dedicated parking areas located in SBP that are currently limited due to flooding/inundation conditions during and post rain events. Vehicular access to the Special Use Area (SUA), on the east side of the beach, depends on SBP being accessible for vehicles to cross the east parking lot. When there is ponding and standing water, it makes this adjacent beach area east of SBP inaccessible to vehicles.

The construction project activities are limited to the dry sand parking areas within the park and the existing park roadways; no work is proposed on the public beach. The parking area, after drainage improvements, would accommodate 1,389 parking spaces. Site work activities include improvements to roadside ditches, resurfacing of existing park roadways, additional sand to raise elevations in the parking areas for a greater pervious surface for percolation and a vegetated catchment swale across the seaward edge of the parking lots which will also help clean the runoff. The project also includes public access to the beach through pedestrian and emergency vehicle crossovers. The following is a listing of quantified activities:

<b>Proposed Activity</b>	<b>Quantity</b>
Resurface existing park roads	2,080 LF
Regrade roadside ditches	2,460 LF
Construct catchment swale	1,498 LF
Regrade catchment area "A"	18,323 SF
Replace sand	7,200 CY
Replace culverts	6
Install pedestrian crossover	5
Install emergency vehicle crossover	2

The project intends to improve drainage conditions by capturing stormwater that flows from

Seawall Blvd & Broadway, neighboring properties and that collects in the parking areas; reroute in improved ditches; and allow for percolation, to slow, redirect and control stormwater flows. The project intends to mitigate the current extreme and dangerous scour and erosion that is experienced during rain events. Current conditions allow for uncontrolled runoff. When the project is constructed, and the catchment swale is overtopped, runoff will sheetflow as per design.

The Park Board intends to construct two (2) emergency vehicle crossovers and five (5) pedestrian crossovers for improved beach access. The emergency vehicle crossover on the far east side of SBP also serves as vehicular access to the SUA, providing improved public access to this area.

The project does not include habitable structures or additional amenities, as the project is intended to improve drainage and beach access in the dedicated parking areas. The project does not include new impervious surface areas and existing roads are to be re-surfaced and not relocated. The proposed parking area improvements are to be made with predominantly onsite sand material. Concrete or fibercrete will not be used in any component of this project.

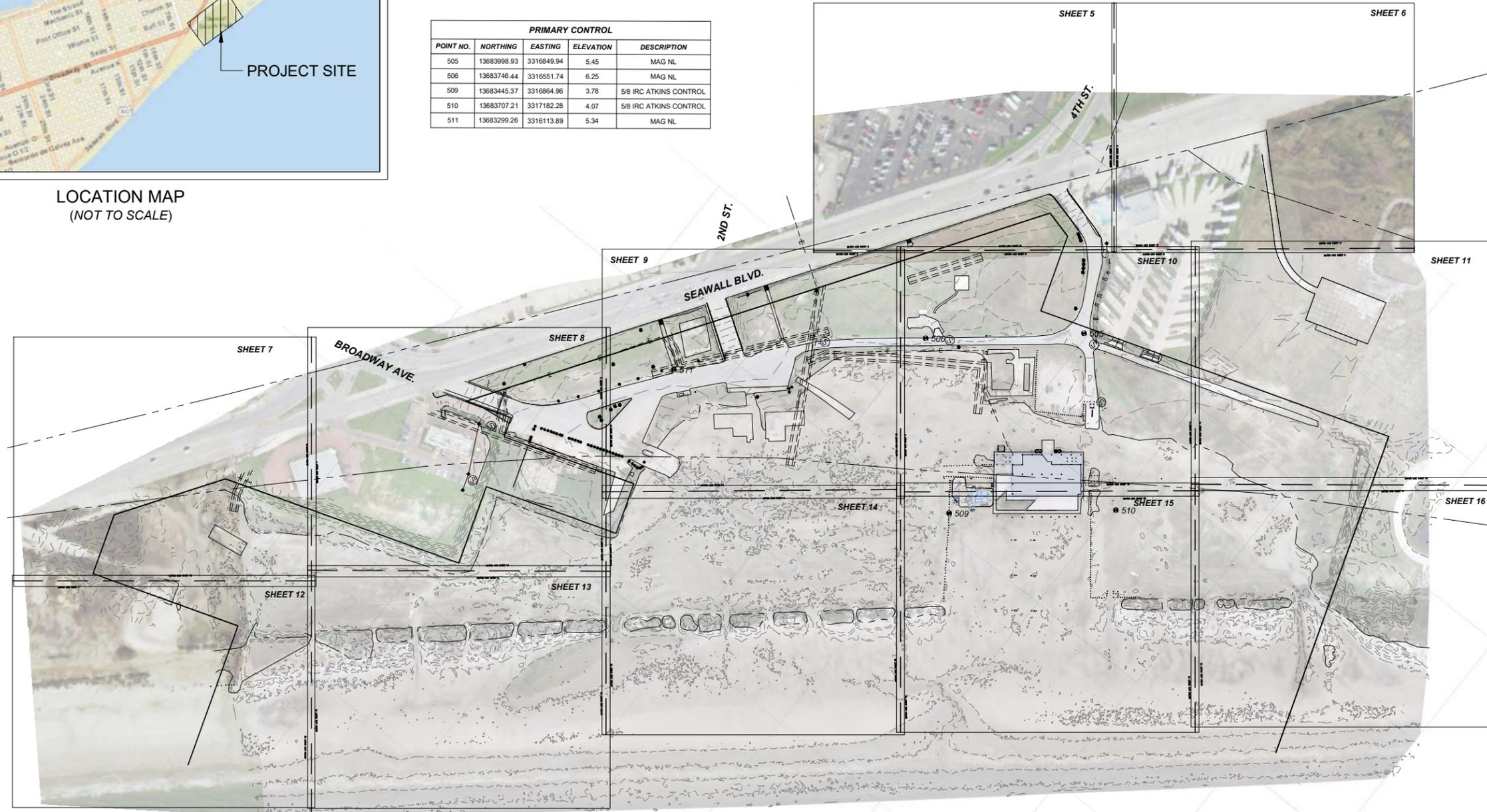
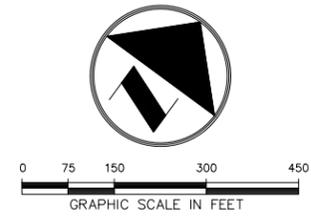
It is understood the Park Board's proposed project will not adversely affect the public beach or public beach access, nor will it exacerbate erosion in the area. Drainage from this activity will not flow to adjacent properties and has been designed to control runoff through mitigative measures, as there is no practicable alternative at SBP. The Park Board provides the financial capability to maintain the proposed drainage project. In addition, a monitoring and maintenance plan has been developed by the design engineers for the Park Board. Another task of the engineering firm above construction administration will be to provide onsite monitoring of the performance of the project for two (2) years post construction. This will allow for measuring project success and informing Park Board staff of how to achieve ongoing maintenance requirements once this time has passed.

A comprehensive mitigation plan is required when construction is proposed in areas located seaward of the Dune Protection Line, which includes a detailed description of the methods which will be used to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation. The proposed construction associated with this project is located in areas of the park which contain no dunes or dune vegetation, therefore it is anticipated as a result of this project that adverse effects on dunes or dune vegetation will be entirely avoided and no mitigation or compensation will be needed.



LOCATION MAP  
(NOT TO SCALE)

PRIMARY CONTROL				
POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
505	13683998.93	3316849.94	5.45	MAG NL
506	13683746.44	3316551.74	6.25	MAG NL
509	13683445.37	3316864.96	3.78	5/8 IRC ATKINS CONTROL
510	13683707.21	3317182.28	4.07	5/8 IRC ATKINS CONTROL
511	13683299.26	3316113.89	5.34	MAG NL



NOTES:

- COORDINATES SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (GRID) COORDINATES, AS BASED ON STATIC GPS NETWORK OBSERVATIONS REFERENCING CORS STATIONS TXGA, TXAG, AND TXLM ON NGS MONUMENTS DESIGNATED: AW7078, AW0590, AW0443, AW5710, AW0611, AW5708, AW0634, AW0637, AW0644, AND AW5710.
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICA VERTICAL DATUM OF 1988 (NAVD88), AS BASED ON STATIC GPS NETWORK OBSERVATIONS REFERENCING CORS STATIONS TXGA, TXAG, AND TXLM ON NGS MONUMENTS DESIGNATED: AW7078, AW0590, AW0443, AW5710, AW0611, AW5708, AW0634, AW0637, AW0644, AND AW5710.
- DATA SHOWN HEREON, IS BASED ON A COMBINATION OF TERRESTRIAL BASED MOBILE LIDAR AND LEICA C10 POINT CLOUD DATA, UNMANNED AIRCRAFT SYSTEM PHOTOGRAMMETRY, RTK GPS, AND CONVENTIONAL SURVEY TECHNIQUES.
- BOUNDARY INFORMATION SHOWN HEREON IS APPROXIMATE, AND BASED ON INFORMATION PROVIDED BY OTHERS. ATKINS DOES NOT CERTIFY TO SAID INFORMATION.
- AERIAL IMAGERY SHOWN HEREON, FLOWN FEBRUARY 2014, AND IS ONLY A GRAPHICAL REPRESENTATION, SAID IMAGERY DOES NOT REPRESENT AN ON THE GROUND SURVEY.
- INFORMATION SHOWN HEREON, WAS SURVEYED IN THE FIELD JUNE 2016 AND UPDATED FEBRUARY 8, 2019.
- SUBJECT PROPERTY LIES WITHIN FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ZONE "VE" AND ZONE "AE", AS SCALED APPROXIMATELY HEREON AS BASED ON FLOOD INSURANCE RATE MAP (FIRM) No. 4854690027, REVISED DECEMBER 6, 2002.
- SUBSURFACE UTILITY LINES SHOWN HEREON ARE APPROXIMATE, AS PLACED BY INFORMATION PROVIDED BY OTHERS REFERENCED TO ABOVE GROUND EVIDENCE. ATKINS DOES NOT CERTIFY TO SAID LOCATIONS. OTHER UTILITIES MAY EXIST NOT SHOWN HEREON.

SURVEYOR'S CERTIFICATE:

I, J. DILLON FUGATE, CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND, UNDER MY DIRECT SUPERVISION AND SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR CATEGORY 6 CONDITION II TOPOGRAPHIC SURVEY, AS DEEMED BY THE MANUAL OF PRACTICE OF LAND SURVEYING IN THE STATE OF TEXAS AS REVISED OCTOBER 20, 2000.

*J. Dillon Fugate*  
 J. DILLON FUGATE, RPLS  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6360  
 STATE OF TEXAS

ATKINS NORTH AMERICA, INC.  
 (FIRM BRANCH REGISTRATION #10193844)  
 17220 KATY FREEWAY - SUITE 200  
 HOUSTON, TEXAS 77094  
 DILLON.FUGATE@ATKINSGLOBAL.COM



PROPOSED FOR  
 GALVESTON ISLAND  
 STEWART BEACH  
 PARKING AREA  
 DRAINAGE IMPROVEMENTS

201 AVENUE K, GALVESTON, TEXAS 77550  
 1923 BODDEKER, GALVESTON, TEXAS 77550

**ATKINS**  
 ATKINS NORTH AMERICA, INC  
 17220 KATY FREEWAY  
 SUITE 200, HOUSTON, TX 77094  
 PHONE: (281) 493-5100  
 TBPE REG. No. F474



ORIGINAL: 07/18/2019

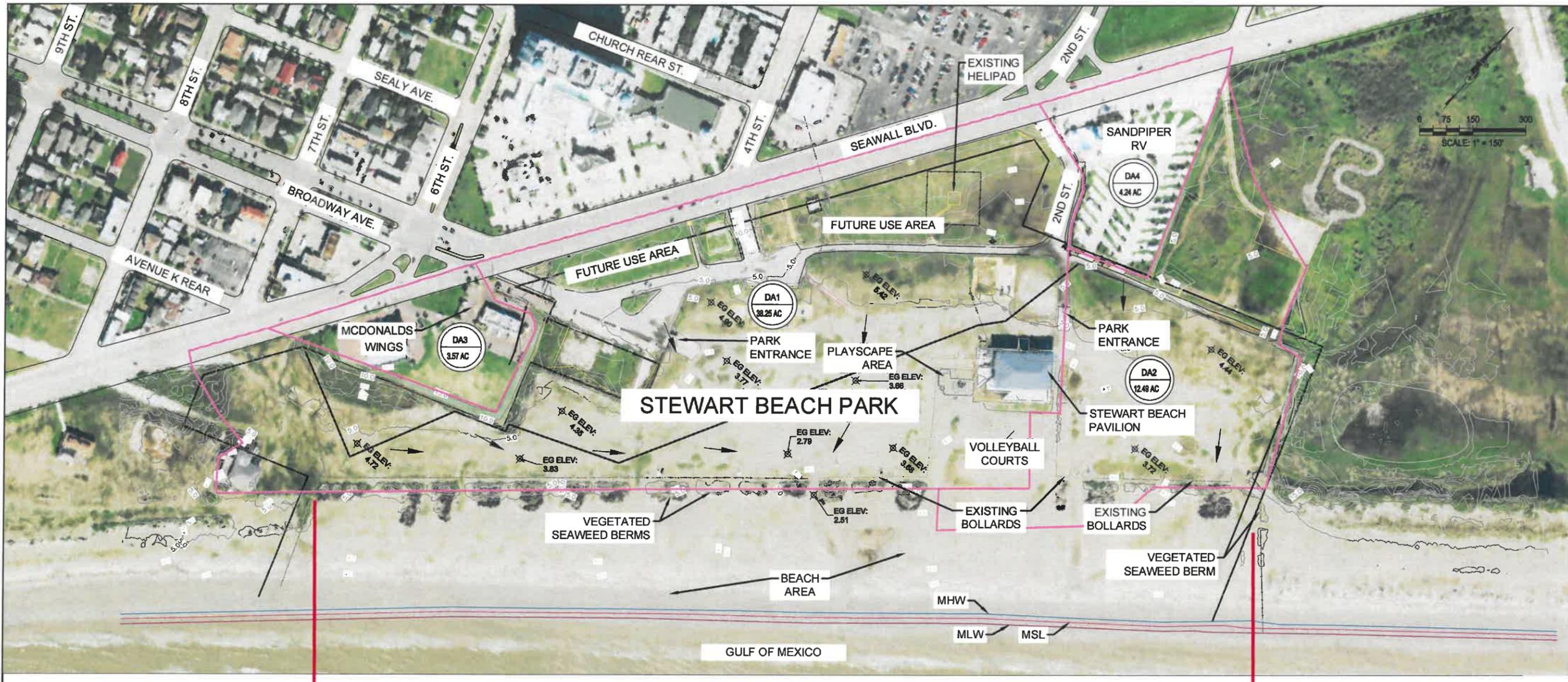
REVISION

No.	DATE	DESCRIPTION
1	09/04/19	EDIT LABELS

SHEET NO. 4  
 OF 50 SHEETS  
 FILE:  
 PROJECT NO. 100051085

OVERALL SURVEY SHEET

p:\ana\geomatics\projects\100051085 - galveston park board - drainage\cad\galveston parks stewart (rev1)\_09.04.19 (22x34)



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 17220 KATY FREEWAY  
 SUITE 200, HOUSTON, TX 77094  
 PHONE: (281) 493-5100  
 TBPE REG. No. F474

2,640-FT APPROX. LIMITS OF PROP. WORK  
**EXISTING SITE**

**LEGEND:**

- BOLLARD
- SANITARY MANHOLE
- POWER POLE
- CITY ANCHOR
- LIGHT POLE
- WATER VALVE
- FIRE HYDRANT
- REGISTERED PROFESSIONAL LAND SURVEYOR
- NORTH
- SOUTH
- EAST
- WEST
- ELEVATION
- MHW
- MLW
- POLYVINYL CHLORIDE PIPE
- REINFORCED CONCRETE PIPE
- CONCRETE
- OVERHEAD ELECTRIC
- FENCED LINE
- LINE OF BOLLARDS
- PROPERTY LIMIT

**DRAINAGE LEGEND**

- STORM WATER FLOW
- DRAINAGE AREA
- DRAINAGE AREA BOUNDARY
- MSL MEAN SEA LEVEL ELEVATION (0.69)
- MHW MEAN HIGH WATER ELEVATION (1.23)
- MLW MEAN LOW WATER ELEVATION (-0.22)

COORDINATES SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (GRID) COORDINATES, AS BASED ON STATIC GPS NETWORK OBSERVATIONS REFERENCING CORS STATIONS TXGA, TXAG, AND TXLM ON NGS MONUMENTS DESIGNATED: AW7078, AW0590, AW0443, AW5710, AW0611, AW5708, AW0634, AW0637, AW0644, AND AW5710.

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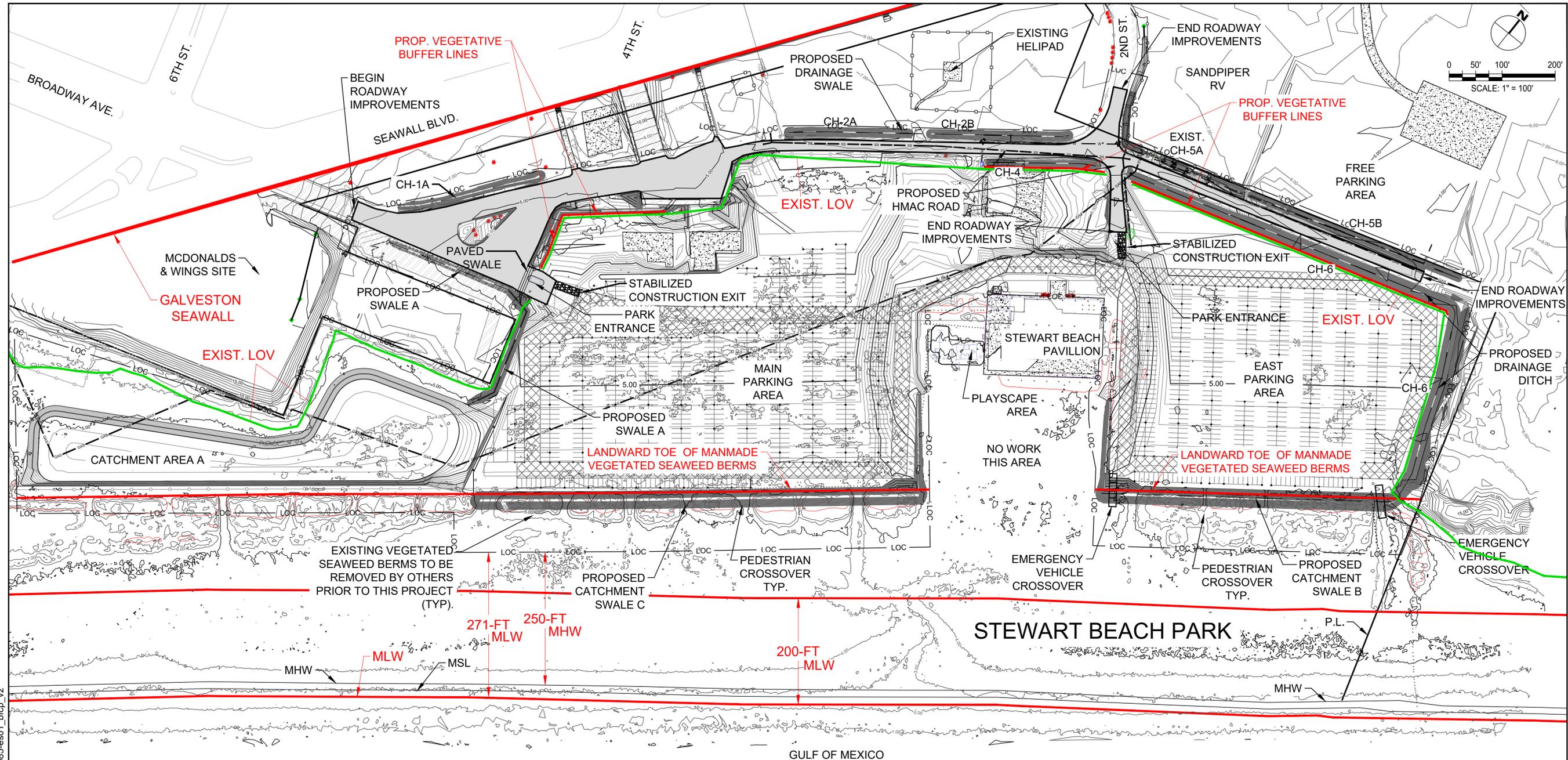
DATA SHOWN HEREON, DOES NOT CONSTITUTE A BOUNDARY SURVEY.

AERIAL IMAGERY SHOWN HEREON, FLOWN FEBRUARY 2014, AND IS ONLY A GRAPHICAL REPRESENTATION, SAID IMAGERY DOES NOT REPRESENT AN ON THE GROUND SURVEY

INFORMATION SHOWN HEREON, WAS SURVEYED IN THE FIELD JUNE 2016 AND UPDATED SEPTEMBER 7, 2016.

SUBJECT PROPERTY LIES WITHIN FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ZONE "VE" AND ZONE "AE", AS SCALED APPROXIMATELY HEREON AS BASED ON FLOOD INSURANCE RATE MAP (FIRM) No. 4854690013 E, REVISED DECEMBER 6, 2002.

REVISION		
No.	DATE	DESCRIPTION



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REVISION		
No.	DATE	DESCRIPTION

SHEET NO.  
17  
 OF 50 SHEETS  
 FILE: 51085-ES01\_BFCP\_V2  
 PROJECT NO. 100051085  
**PROPOSED SITE  
 PLAN**

**LEGEND**

	SF	SILT FENCE
	LOC	LIMITS OF CONSTRUCTION
		EXISTING PAVEMENT
		MAIN ACCESS
		PROPOSED ROAD IMPROVEMENTS
	1,389	PARKING SPACE COUNT
	MSL	MEAN SEA LEVEL ELEVATION (0.69)
	MHW	MEAN HIGH WATER ELEVATION (1.23)
	MLW	MEAN LOW WATER ELEVATION (-0.22)
		EXISTING CONTOUR LINES
		PROPOSED BOLLARD
		PROPOSED PARKING

- NOTES:**
- SEE SHEETS 19 TO 26 FOR GRADING PLANS.
  - SEE SHEET 18 FOR PROPOSED DRAINAGE AREA MAP.
  - SEE SHEET 33 TO FOR CROSS SECTIONS.
  - TOTAL PARKING SPACE COUNT = 1,389 (BASED ON 18' X 9' PARKING SPACES)
  - PROJECT BOUNDARY TO BE STAKED PRIOR TO BEGINNING WORK.
  - LOCATIONS AND STATUS OF EXISTING UNDERGROUND UTILITIES TO BE VERIFIED PRIOR TO BEGINNING WORK.
  - THERE IS NO WORK PROPOSED FOR THE PLAY-SCAPE AREA OR THE EVENTS AREA ON THE GULF SIDE OF THE PAVILION.
  - THERE IS NO WORK PROPOSED ON THE SEAWALL SIDE OF MINIMUM GRADING TRANSITION FOR PROPOSED ROAD AND ROADSIDE DRAINAGE DITCH WORK SHOWN ON GRADING PLANS.
  - CONTRACTOR TO FILL LOW SPOTS BETWEEN THE PAVILION BUILDING AND PROPOSED GRADING PLAN CONTOURS ON THE EAST AND NORTH SIDES OF THE PAVILION.

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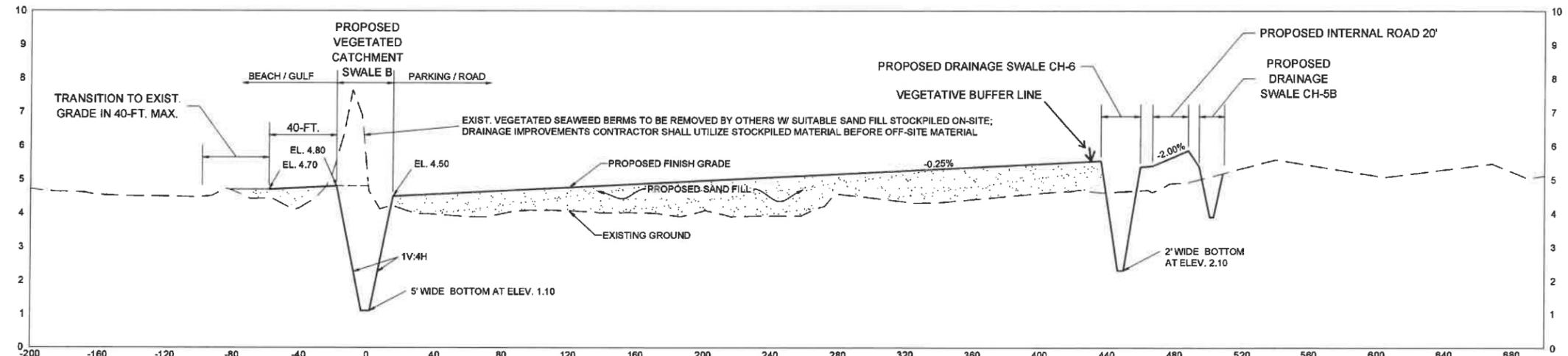


**GALVESTON**  
ISLAND  
Park Board of Trustees

PROPOSED FOR  
GALVESTON ISLAND  
STEWART BEACH  
PARKING AREA  
DRAINAGE IMPROVEMENTS

201 AVENUE K, GALVESTON, TEXAS 77550  
1923 BODDEKER, GALVESTON, TEXAS 77550

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ATKINS NORTH AMERICA, INC  
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SUITE 200, HOUSTON, TX 77094  
PHONE: (281) 493-5100  
TBPE REG. No. F 474



STEWART BEACH PARKING AREAS TYPICAL PROP. CROSS SECTION - LOOKING WEST

REVISION

No.	DATE	DESCRIPTION

SHEET NO.

OF SHEETS

FILE: 51086-CX01  
PROJECT NO. 100051085

**PROPOSED  
CROSS SECTION**



EXISTING CONCENTRATED FLOWS

© 2020 Google

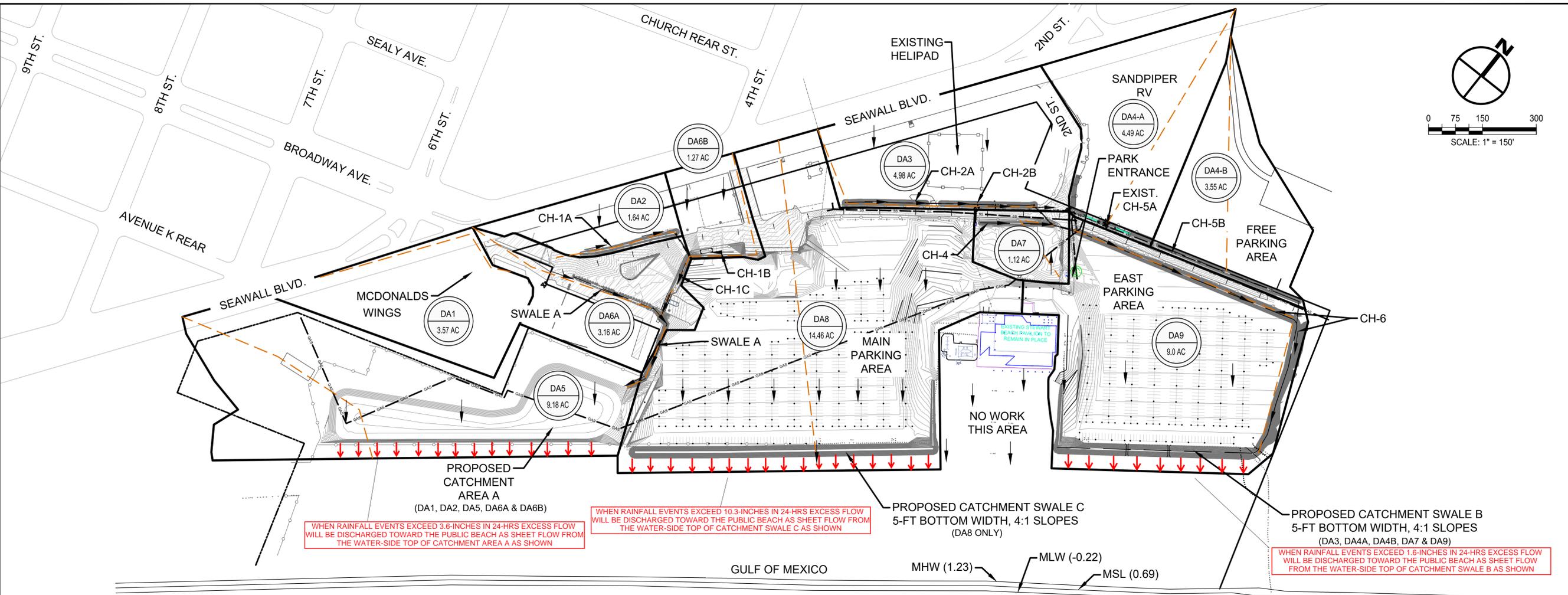
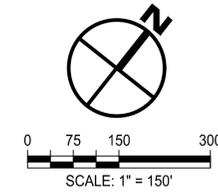
Google Earth

1954

29°18'18.85" N 94°46'05.85" W elev -5 ft eye alt 2462 ft

201 AVENUE K, GALVESTON, TEXAS 77550  
 1923 BODDEKER, GALVESTON, TEXAS 77550

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 TBPE REG. No. F474



WHEN RAINFALL EVENTS EXCEED 3.6-INCHES IN 24-HRS EXCESS FLOW WILL BE DISCHARGED TOWARD THE PUBLIC BEACH AS SHEET FLOW FROM THE WATER-SIDE TOP OF CATCHMENT AREA A AS SHOWN

WHEN RAINFALL EVENTS EXCEED 10.3-INCHES IN 24-HRS EXCESS FLOW WILL BE DISCHARGED TOWARD THE PUBLIC BEACH AS SHEET FLOW FROM THE WATER-SIDE TOP OF CATCHMENT SWALE C AS SHOWN

WHEN RAINFALL EVENTS EXCEED 1.6-INCHES IN 24-HRS EXCESS FLOW WILL BE DISCHARGED TOWARD THE PUBLIC BEACH AS SHEET FLOW FROM THE WATER-SIDE TOP OF CATCHMENT SWALE B AS SHOWN

**Proposed Drainage Calculations Stewart Beach**

Proposed Drainage Calculations - Stewart Beach - Rational Method GCCDD Section VI.B

Drainage Column 1	Area (acres)				C-Values									Flow Distance (feet)		Intensity Inches/hour					Flow (Q) cfs = C <sub>i</sub> AC <sub>i</sub>							
	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14	Column 15	Column 16	Column 17	Column 18	Column 19	Column 20	Column 21	Column 22	Column 23	Column 24	Column 25				
Area	Total	Imprv.	Perv	% Imprv	Impervious C	Pervious C	Composite C	Storm Frequency Factor C 2 YR	Storm Frequency Factor C 5 YR	Storm Frequency Factor C 10 YR	Storm Frequency Factor C 25 YR	Storm Frequency Factor C 100 YR	D	T <sub>r</sub> =D/60V+10	2 YR	5 YR	10 YR	25 YR	100 YR	2 YR	5 YR	10 YR	25 YR	100 YR				
DA1	3.57	3.570	0.000	100.0%	0.9	0.30	0.90	0.90	0.90	0.90	0.99	0.99	765	23	4.48	4.84	5.39	5.97	7.35	14.40	15.57	17.33	19.19	23.62				
DA2	1.64	1.565	0.075	95.4%	0.9	0.30	0.87	0.87	0.87	0.87	0.96	0.99	341	13	5.56	5.97	6.51	7.11	8.97	7.95	8.55	9.31	10.17	12.84				
DA3	4.98	1.077	3.903	21.6%	0.9	0.30	0.43	0.43	0.43	0.43	0.47	0.54	782	17	5.10	5.49	6.04	6.63	8.27	10.91	11.75	12.92	14.19	17.71				
DA4-A	4.49	4.280	0.210	95.3%	0.9	0.30	0.87	0.87	0.87	0.87	0.96	0.99	694	22	4.59	4.95	5.50	6.09	7.51	17.96	19.39	21.54	23.82	29.39				
DA4-B	3.55	0.340	3.210	9.6%	0.9	0.30	0.36	0.36	0.36	0.36	0.39	0.45	652	32	3.84	4.16	4.70	5.25	6.38	4.87	5.28	5.96	6.67	8.10				
DA5	9.18	0.000	9.180	0.0%	0.9	0.30	0.30	0.30	0.30	0.30	0.33	0.38	696	33	3.75	4.07	4.60	5.16	6.25	10.34	11.22	12.67	14.20	17.22				
DA6A	3.16	1.748	1.412	55.3%	0.9	0.30	0.63	0.63	0.63	0.63	0.70	0.79	832	17	5.05	5.44	5.99	6.58	8.20	10.08	10.86	11.96	13.14	16.38				
DA6B	1.27	0.591	0.679	46.5%	0.9	0.30	0.58	0.58	0.58	0.58	0.64	0.72	477	15	5.24	5.64	6.18	6.78	8.49	3.85	4.15	4.55	4.99	6.25				
DA7	1.12	0.377	0.743	33.7%	0.9	0.30	0.50	0.50	0.50	0.50	0.55	0.63	287	12	5.62	6.04	6.57	7.17	9.07	3.16	3.40	3.69	4.03	5.10				
DA8	14.46	1.090	13.370	7.5%	0.9	0.30	0.35	0.35	0.35	0.35	0.38	0.43	878	25	4.33	4.68	5.23	5.80	7.12	21.61	23.37	26.10	28.97	35.53				
DA9	9.00	0.295	8.705	3.3%	0.9	0.30	0.32	0.32	0.32	0.32	0.35	0.40	1045	45	3.20	3.48	3.98	4.50	5.41	9.20	10.02	11.45	12.96	15.58				
Total Area		56.42																										

**LEGEND**

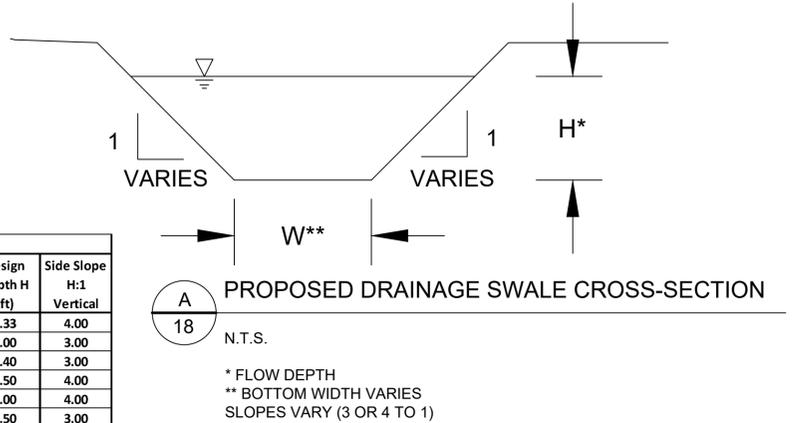
- STORM WATER FLOW
- DRAINAGE AREA (DA1 68.55 AC)
- DRAINAGE AREA BOUNDARY
- MSL MEAN SEA LEVEL ELEVATION (0.69)
- MHW MEAN HIGH WATER ELEVATION (1.23)
- MLW MEAN LOW WATER ELEVATION (-0.22)
- GCCDD GALVESTON COUNTY CONSOLIDATED DRAINAGE DISTRICT
- HMAC PROPOSED ROAD
- HMAC EXISTING ROAD

- NOTES:**
- SEE SHEETS 19 TO 23 FOR GRADING PLAN.
  - SEE SHEET 49 FOR PROPOSED VEGETATED SWALE DETAIL.
  - THESE PLANS ADDRESS 2, 5, 10, AND 25 YEAR STORM EVENTS. THESE PLANS ARE NOT MEANT TO MANAGE HURRICANES, HIGH TIDES, SURGE, OR OTHER EXTREME NATURAL EVENTS.
  - THE DRAINAGE CHANNELS HAVE BEEN SIZED FOR 25 YEAR RAINFALL FREQUENCY
  - NO DRAINAGE IS BEING DISCHARGED TO THE CITY STORM DRAINAGE SYSTEM. **ALL PROJECT AREA DRAINAGE IS DIRECTED TO CATCHMENT AREA A AND CATCHMENT SWALES B AND C; WHEN CATCHMENTS ARE OVERTOPPED THEY DISCHARGE TOWARD THE GULF AS SHEET-FLOW BY DESIGN.**
  - THERE ARE NO CHANGES TO IMPERVIOUS AREAS. PAVEMENT LIMITS REMAIN THE SAME AND NO NEW PAVING OR STRUCTURES ARE PROPOSED.

- FORMULA NOTES:**
- COLUMN 11 VALUE = 1.0 x COLUMN 8 VALUE, PER GCCDD CRITERIA MANUAL PAGE 24.
  - COLUMN 12 VALUE = 1.10 x COLUMN 8 VALUE, NOT TO EXCEED 1.0, PER GCCDD CRITERIA MANUAL PAGE 24.
  - COLUMN 13 VALUE = 1.25 x COLUMN 8 VALUE, NOT TO EXCEED 1.0, PER GCCDD CRITERIA MANUAL PAGE 24.

Stewart Beach Water Elevations

Swale ID	Channel Bottom Width (W) (ft)	Water Depth (H) 2-Year (ft)	Water Depth (H) 5-Year (ft)	Water Depth (H) 10-Year (ft)	Water Depth (H) 25-Year (ft)	Design Depth H (ft)	Side Slope H:1 Vertical
CH-1A	2.00	0.52	0.55	0.57	0.60	1.33	4.00
CH-1B	2.00	0.44	0.46	0.49	0.52	1.00	3.00
CH-1C	2.00	0.80	0.83	0.88	0.92	1.40	3.00
CH-2	2.00	0.59	0.62	0.66	0.69	1.50	4.00
CH-3	3.00	0.71	0.75	0.80	0.85	1.00	4.00
CH-4	2.00	0.33	0.34	0.36	0.38	1.50	3.00
CH-5A (existing)	3.00	0.88	0.92	0.98	1.04	1.50	3.00
CH-5B	2.00	0.33	0.35	0.37	0.40	1.50	4.00
CH-6	2.00	1.23	1.29	1.37	1.46	2.00	3.00



BOTH TABLES THIS SHEET ARE FROM ATKINS EXCEL FILE NAMED "DA01-DWG\_Open Channel Flow and Depth Calcs.xlsx"

**REVISION**

No.	DATE	DESCRIPTION



**STEWART BEACH (ROUGH BOUNDARY) – PEDESTRIAN CROSSOVER APPROXIMATE LOCATIONS RELATED TO CASE 20P-016**

**LEGEND:**

DARK GREY = RESURFACED ROAD WITH ASSOCIATED ROADSIDE DITCHES

BLUE GREY = PERIMETER DITCH WORK ASSOCIATED WITH CONVEYANCE

TAN = CATCHMENT AREA APPROXIMATE

GREEN = VEGETATED SWALES



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

July 21, 2020

Via Electronic Mail

Dustin Henry, AICP  
Coastal Resources Manager  
Development Services Department  
City of Galveston  
823 Rosenberg, Room 401  
Galveston, Texas 77550-2103

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

**Site Address:** 201 Seawall Blvd, Galveston  
**Legal Description:** ABST 628 Page 141 & 142 M Menard Sur TR 59 7.909; ABST 628 M B Menard Sur Blocks 122, 123, 182, 241, 242, & Pt of 243, Galveston  
**Lot Applicant:** Galveston Park Board of Trustees c/o Sheryl Rozier  
**Case Number:** 20P-016  
**GLO ID No.:** BDCOG-20-0113a

Dear Mr. Henry:

The General Land Office (GLO) has reviewed the additional application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The Galveston Park Board of Trustees (Park Board) proposes to construct drainage ditches and catchment swales at Stewart Beach Park. The Park Board also proposes to resurface the existing park roadways and to construct pedestrian and emergency vehicle crossovers over the proposed vegetated swales. According to the Bureau of Economic Geology, the area is stable.

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

- The City must ensure vehicular beach access is regulated in a manner that preserves or enhances existing public right to use and have access to and from the beach.<sup>1</sup>
- The Park Board proposes to temporarily limit public use of and access to the beach at Stewart Beach Park and the restricted use area to the east of the park for approximately 3 months. The City must ensure that the duration of any public access restriction is minimized to the greatest extent possible and that alternative beach access is provided throughout the extent of the temporary access limitation.<sup>2</sup> Should there be the need for any additional temporary beach closures outside of the provided schedule, the Park Board must provide an updated schedule to the City and GLO for review and approval prior to implementation.

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<sup>1</sup> 31 Tex. Admin. Code § 15.7(h).

<sup>2</sup> TNRC § 61.013.

- Signs must be conspicuously posted which explain the nature and extent of the temporary beach access closures and directs the public to alternative beach access areas.<sup>3</sup>
- The City may only issue a certificate or permit authorizing construction if the construction activities will minimize impacts on natural hydrology and not cause further erosion of the adjacent properties and the public beach.<sup>4</sup> The drainage plan provided in the application materials indicates that all stormwater runoff and drainage within Stewart Beach Park will be discharged towards the Gulf of Mexico via sheet flow when the proposed catchment areas and swales exceed capacity, which is anticipated to occur an average of ten times a year. It is the GLO's understanding that the Park Board proposes to monitor the beach and conduct maintenance activities to limit any scouring or erosion caused by the overflow of stormwater onto the public beach.
- The Park Board proposes to construct continuous catchment swales between the on-beach parking area and the beach and to construct five pedestrian crossovers over the swales. The City must ensure that the location and number of pedestrian crossovers are sufficient so as to preserve or enhance the existing access to the public beach.<sup>5</sup>
- The Park Board proposes to construct a continuous drainage ditch between the roadway and the free parking area and has indicated that a culvert will be placed in the drainage ditch to allow access to the free parking area. The City must ensure that vehicles will be able to access the free parking area once the proposed drainage ditches are constructed.<sup>6</sup>
- The Park Board proposes to convert a historical public beach parking area with the capacity of accommodating up to 145 public beach parking spaces into a drainage catchment basin, which would make these parking spaces unavailable when the catchment area is too saturated to accommodate vehicles. It is the GLO's understanding that the Park Board proposes to accommodate for the displaced parking spaces by creating new parking areas within the park. The City must ensure that parking will be preserved or enhanced.<sup>7</sup>
- Since the existing asphalt roadways on site were constructed before current beachfront construction regulations were passed, they may be repaired in accordance with the City of Galveston's zoning regulations. The footprint of the existing roadways must not be expanded. As proposed, the construction appears to comply with this requirement.
- The City may consider requiring the proposed pedestrian crossovers to conform with the requirements for a dune walkover outlined in Section 29-90(e) of the City's Plan, where practicable, since they are a beach access mechanism similar to a dune walkover. As proposed, it appears that the construction complies with the below standards.

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<sup>3</sup> 31 Tex. Admin. Code § 15.7(h)(1)(C).

<sup>4</sup> 31 Tex. Admin. Code § 15.6(g).

<sup>5</sup> 31 Tex. Admin. Code § 15.7(h).

<sup>6</sup> 31 Tex. Admin. Code § 15.7(h).

<sup>7</sup> 31 Tex. Admin. Code § 15.7(h).

- With the exception of the paired posts constructed on each side of the proposed crossovers, the support posts must be placed at intervals no closer than six feet and in such a manner that new posts are not needed if the walkway requires relocation or elevation in the future.<sup>8</sup>
- The proposed crossovers must be constructed to maintain ½-inch spacing between the slats to allow rain and sand to pass through the decking.<sup>9</sup>
- The proposed pedestrian crossovers may not exceed six feet in width.<sup>10</sup>
- The GLO recommends that only indigenous vegetation be planted within the proposed catchment areas and swales.
- The City must ensure the proposed construction is consistent with FEMA minimum requirements or with the FEMA approved local ordinance.<sup>11</sup>
- The City shall require the Park Board to apply for a new permit or certificate in the event of any material changes, or changes in project design, construction materials, or construction methods or in the condition of the construction site which may cause additional adverse effects on beach access and use.<sup>12</sup> The City shall require the Park Board to submit an amended permit application disclosing all information relevant to the material changes, if such changes occur before the City issues the permit or certificate.

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

Sincerely,



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

cc: Catherine Gorman, Assistant Director  
Virgie Greb, Assistant Coastal Resources Manager

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<sup>8</sup> City of Galveston Beach Access and Dune Protection Plan § 29-90(e)(2).

<sup>9</sup> City of Galveston Beach Access and Dune Protection Plan § 29-90(e)(5).

<sup>10</sup> City of Galveston Beach Access and Dune Protection Plan § 29-90(e)(1).

<sup>11</sup> 31 Tex. Admin. Code § 15.6(e)(3).

<sup>12</sup> 31 Tex. Admin. Code § 15.2(46) & 31 Tex. Admin. Code § 15.3(t)(4).



## 20P-023

## STAFF REPORT

**ADDRESS:**

21631 Zachary, 21703 Zachary, 21630 San Luis  
 Pass Road/FM 3005, 21702 San Luis Pass  
 Road/FM 3005

**LEGAL DESCRIPTION:**

Request for a replat in order to decrease the  
 number of lots from five into four. Properties  
 are legally described as: Hall & Jones Survey  
 Abandoned Mason Drive Right-of-way Adjacent  
 to Lots 118, 119, 142 & 143, (143-1); Lot 118;  
 Lot 119; Lot 142; and Lot 143; Sea Isle Section  
 1; in the City and County of Galveston, Texas.

**APPLICANT/REPRESENTATIVE:**

Bennie F. Simmons

**PROPERTY OWNERS:**

Angele Investments, LLC; Angele Holdings, LLC;  
 Joe Allen Cooper; and Bennie F. Simmons and  
 Patricia Ann Simmons

**ZONING:**

Residential, Single Family ( R-1)

**REQUEST:**

Request for a replat in order to decrease the  
 number of lots from five to four

**STAFF RECOMMENDATION:**

Approval based on findings and conditions.

**EXHIBITS:**

- A – GIS Map
- B – Replat Survey

**STAFF:**

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

**Public Notice and Comment:**

Sent	Returned	In Favor	Opposed	No Comment
30				

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:**

Public Works: verify utilities and provide sanitary sewer easement.



**Executive Summary**

The applicants is requesting a replat to decrease the number of  
 lots from five to four , which will divide an undeveloped tract  
 equally between the four adjacent lots owned by the applicants.

The Texas Local Government Code, Chapter 212.0065, requires  
 a public hearing for replats involving more than four lots. 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	Residential
North	Residential, Single Family	Residential
South	Residential, Single Family	Residential
East	Residential, Single Family	Residential
West	Residential, Single Family	Residential

**Site and Surrounding Area**

This property and the properties to the east, north, and west are Residential, Single Family (R-1) properties, part of the Sea Isle subdivision. The subject parcel was previously apportion of Mason Drive right-of-way that was abandoned to private ownership by the Colony beach, Inc. development company in 1958 (Vol. 1290, Pg. 58, ODRGC).

**Drainage/Public Infrastructure and Easements**

There were no objections from Private Utilities. Public works requested that the applicants verify the locations of existing water and sewer lines, and provide a minimum 10' wide easement for the existing 8" sanitary sewer line running north-south across the subject tract parallel to Mason Road.

**Minimum Lot Standards**

The four lots adjacent to the former Mason Road right-of-way parcel are currently approximately 70 feet wide and 100 feet long. The replat will result in each lot becoming approximately 25 feet wider and 2,500 square feet larger in area, with no change to length. This exceeds minimum lot standards for Residential, Single-Family (R-1) lots of 50 feet wide and 100 feet long, minimum and 5,000 square feet, minimum.

**Plat Approval Criteria**

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

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:

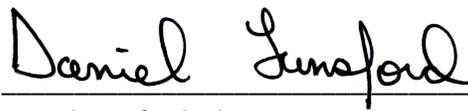
*Specific conditions to Case 20P-023:*

1. The applicant shall accommodate the filing of the plat by February 4, 2021;
2. Prior to the filing of the plat, the applicant shall locate the water and sanitary sewer lines and provide verification to the Development Services Department that they are within in the proposed easements;
3. A minimum 10' wide dedicated utility easement shall be provided on the plat containing the existing sanitary sewer line, and conforming to City of Galveston Public Works department standards;

*Standard conditions:*

4. 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;
5. Failure to comply with all comments/conditions may result in penalties and/or revocation of this plat; and
6. 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.

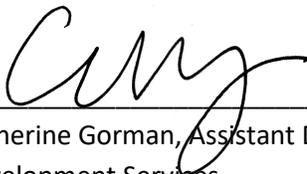
Respectfully Submitted,



Daniel Lunsford, Planner

07/29/2020

Date

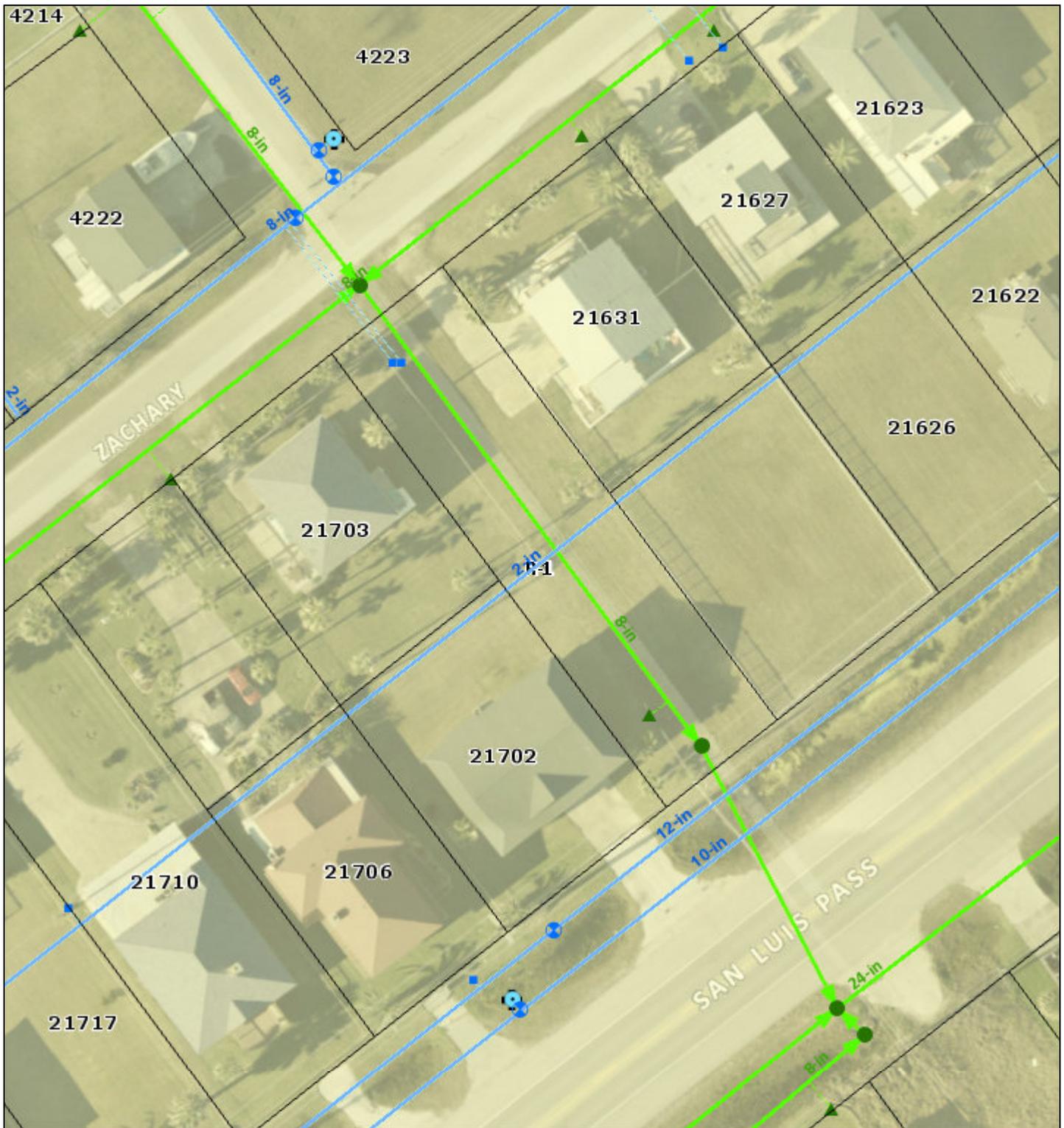


Catherine Gorman, Assistant Director, AICP, HPO  
Development Services

07/29/2020

Date

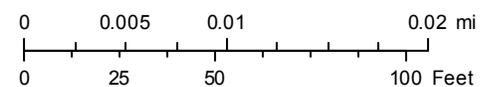
# Zoning District Map



July 21, 2020

1:600

- |  |  |  |
|--|--|--|
|  Parcels                  |  Water Valve  |  Water Plant        |
|  Galveston Landmarks      |  Fire Hydrant |  Fire Lead          |
|  Local Historic Districts |  Water Meter  |  Water Service Line |



City of Galveston  
 Galveston Central Appraisal District & Pictometry  
 Galveston Central Appraisal District  
 City of Galveston - Public Works Department  
 City of Galveston Development Services: Planning & Development Division

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



THE STATE OF TEXAS §  
 COUNTY OF GALVESTON §

That we, Rhonda Kay Angele and Vince Angele, as Managing Members of Angele Investments, LLC., Bennie Frank Simmons, Patricia Ann Simmons and Charles Melba Cooper, owners of the property subdivided in the foregoing plat of "Mason in Sea Isle", do hereby make subdivision of said property according to the lines, streets, alleys, parks, building lines and easements therein shown and designate said subdivision "Mason in Sea Isle", in Galveston County, Texas.

WITNESS MY HAND this 1st day of July, 2020.

*Bennie Frank Simmons*  
 Bennie Frank Simmons  
*Patricia Ann Simmons*  
 Patricia Ann Simmons  
*Rhonda Kay Angele*  
 Rhonda Kay Angele, Managing Member  
 Angele Investments, LLC.  
*Vince Angele*  
 Vince Angele, Managing Member  
 Angele Investments, LLC.  
*Charles Melba Cooper*  
 Charles Melba Cooper

This is to certify that I, Laurence C. Wall, a Registered Professional Land Surveyor of the State of Texas, have plotted this subdivision from an actual survey made on the ground, that all corners are properly marked and that this plat was made under my direct supervision and correctly represents the facts found at the time of the survey.



*Laurence C. Wall*  
 Laurence C. Wall, RPLS #4814  
 June 12, 2020

THE STATE OF TEXAS §  
 COUNTY OF GALVESTON §

I, Dwight D. Sullivan, County Clerk, Galveston County, Texas do hereby certify that this written instrument was filed for record in my Office

on \_\_\_\_\_ at \_\_\_\_\_ o'clock

\_\_\_\_\_ and duly recorded on \_\_\_\_\_  
 at \_\_\_\_\_ o'clock \_\_\_\_\_

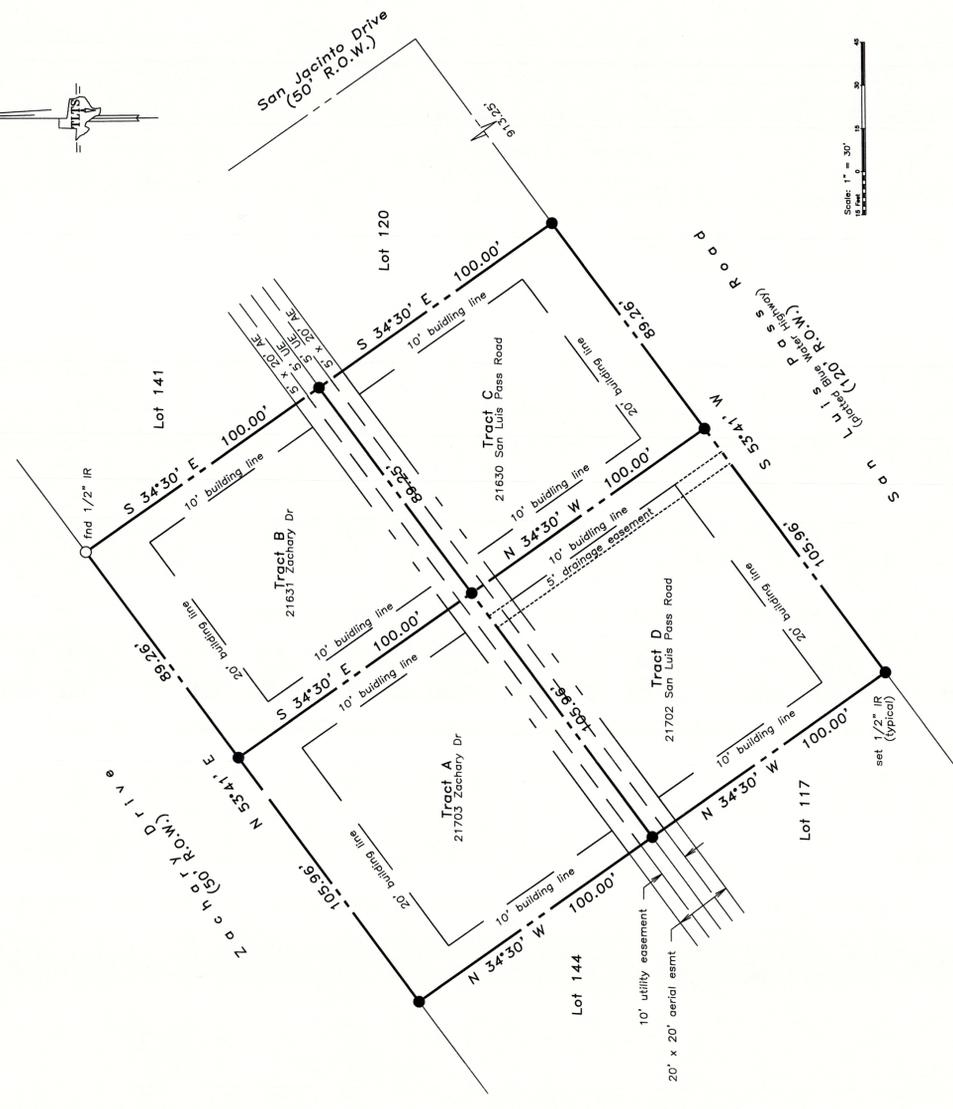
FILE NUMBER \_\_\_\_\_ Galveston County Plat Records.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Galveston County, Texas

By \_\_\_\_\_

"Mason in Sea Isle"



A TRACT OF LAND being Lots 119 and 142, of SEA ISLE, a subdivision in Galveston County, Texas, according to the plat recorded in Plat Record 5, Map No. 52 of the Map Records of Galveston County, Texas (MRGC), Lots 118 and 143 of SEA ISLE, FIRST EXTENSION, a subdivision in Galveston County, Texas, according to the plat recorded in Volume 254-A, Page 78, in the Office of the County Clerk of Galveston County, Texas (OCCGC), together with the West 18 feet of Mason Drive, abandoned by record in Volume 1299, Page 353, OCCGC, and the East 32 feet of Mason Drive abandoned in Volume 1290, Page 58, OCCGC, said TRACT OF LAND containing 0.896 acre (39,020 square feet) of land and being further described by metes and bounds as follows:

BEGINNING at a set 1/2 inch diameter steel reinforcement bar (1/2" IR) for the northeast corner of Lot 143, in the South line of Zachary Drive (50' R.O.W.)  
 THEN N 53° 41' E along Zachary Drive, at 71.94 feet pass a found 1" steel pipe (1" IP) found at the North common corner of Lot 143 and Mason Drive, at 121.97 feet pass a found 1/2" IR at the North common corner of Lot 142 and Mason Drive, in all 195.22 feet to a found 1/2" IR at the northeast corner of Lot 142;  
 THEN S 34° 30' E, at 100.00 feet pass a found 1/2" IR for the East common corner of Lots 142 and 119, in all 200.00 feet to a set 1/2" IR for the southeast corner of Lot 119, in the North line of San Luis Pass Road (platted Blue Water Highway, 120 foot R.O.W.);  
 THEN S 53° 41' W along San Luis Pass Road, at 73.25 feet pass a set 1/2" IR at the South common corner of Lot 119 and Mason Drive at 105.27 feet pass a found 1/2" IR at the South common corner of Lot 118 and Mason Drive, in all 195.22 feet to a set 1/2" IR at the southwest corner of Lot 118;  
 THEN N 34° 30' W at 100.00 feet pass a set 1/2" IR at the West common corner of Lots 118 and 143, in all 200.00 feet to the POINT OF BEGINNING, containing 0.896 acre (39,020 square feet) of land.

THE STATE OF TEXAS §  
 COUNTY OF GALVESTON §

Before me, the undersigned authority, on this day personally appeared Rhonda Kay Angele and Vince Angele, as Managing Members of Angele Investments, LLC., known to me to be the persons whose names are subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of July, 2020.



*Julie Greenwell*  
 Notary Public of the State of Texas

My commission expires: July 14, 2023

THE STATE OF TEXAS §  
 COUNTY OF GALVESTON §

Before me, the undersigned authority, on this day personally appeared Bennie Frank Simmons and Patricia Ann Simmons, known to me to be the persons whose names are subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of July, 2020.



*Julie Greenwell*  
 Notary Public of the State of Texas

My commission expires: July 14, 2023

THE STATE OF TEXAS §  
 COUNTY OF GALVESTON §

Before me, the undersigned authority, on this day personally appeared Charles Melba Cooper, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 2nd day of July, 2020.



*Julie Greenwell*  
 Notary Public of the State of Texas

My commission expires: 7-14-2023

The subdivision, in the City and County of Galveston, Texas, as set forth in the above plat, has been approved by the Galveston Planning Commission.

Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Chairman \_\_\_\_\_ Galveston Planning Commission  
 Secretary \_\_\_\_\_ Galveston Planning Commission

**TLTS, Inc.**  
 TEXAS LAND TITLE SURVEYORS  
 1801 Moody Avenue  
 Galveston, Texas 77550  
 (409) 765-8883