

**AGENDA
PLANNING COMMISSION
REGULAR MEETING
3:30 p.m. Tuesday, January 7, 2025
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas**

**One or more members of the Planning Commission may attend the meeting by
videoconference.**

**A quorum of the members of the Planning Commission will be physically present at the
meeting location.**

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Public Comment

Request to Address Commission on Agenda Items Without Public Hearings and Non-Agenda Items (three-minute maximum per speaker. If speaking through a translator, six-minute maximum per speaker)

5. Old Business And Associated Public Hearings

A. LICENSE TO USE

1. 24P-044 (Adjacent To 1522 Ball / Avenue H) Request For A License To Use In Order To Place A Charging Station In The City Of Galveston Right-Of-Way. Adjacent Property Is Legally Described As M.B. Menard Survey, Lot 12, Block 315, In The City And County Of Galveston, Texas. Applicant: Jason Johnston Property Owners: Jason And Danielle Johnston

Documents:

[24P-044_PKT.PDF](#)

B. PLANNED UNIT DEVELOPMENT

6. New Business And Associated Public Hearings

A. PLANNED UNIT DEVELOPMENT

1. 24P-045 (2018 60th Street) Request To Revoke A Planned Unit Development (PUD) Approved Under Ordinance 22-065. Property Is Legally Described As Lot 8R, Of Two West, In The City And County Of Galveston Texas. Applicant: Development Services Department Property Owner: Tricon Enterprises, Inc.

Documents:

[24P-045 - STF PKT.PDF](#)

7. 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 December 31, 2024 at 3:35 P.M.

Prepared by: Karina Rosales, 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



24P-044

MEMORANDUM

TO: Rusty Walla, Planning Commission Chairperson and Planning Commissioners

FROM: Daniel Lunsford
Senior Planner
Development Services Department

DATE: December 31, 2024

RE: **24P-044 (Adjacent to 1522 Ball / Avenue H)** Request for a License to Use in order to place a charging station in the City of Galveston right-of-way. Adjacent property is legally described as M.B. Menard Survey, Lot 12, Block 315, in the City and County of Galveston, Texas.
Applicant: Jason Johnston
Property Owners: Jason and Danielle Johnston

At the December 2, 2024 regular meeting, Landmark Commission recommended deferral of this request until their December 16, 2024 meeting in order for the applicant to be present to answer questions and provide more detailed information about the proposal and site conditions. This deferred Planning Commission case 24P-044 to the January 7, 2025, meeting.

This was the first request for deferral and there were no costs associated with the request.

Attached is the original staff report.



24P-044

STAFF REPORT

ADDRESS:

1522 Ball / Avenue H

LEGAL DESCRIPTION:

Adjacent property is legally described as M.B. Menard Survey, Lot 12, Block 315, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Jason Johnston

ADJACENT PROPERTY OWNER:

Jason and Danielle Johnston

EASEMENT OWNER:

City of Galveston

HISTORIC DISTRICT:

East End

REQUEST:

License to Use

APPLICABLE REGULATIONS:

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

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

- A – Applicant’s Submittal
- B – Photographs

STAFF:

Daniel Lunsford
 Senior Planner
 (409) 797-3659
 dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
25				

Per Section 13.308 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:

- Airport: No Objection
- Building Division: No Objection
- Coastal Resources: No Objection
- Fire Marshal: No Objection
- Fire Chief: No Objection
- Police Chief: No Objection
- Public Works: No Objection

Private Utilities Notification Responses:

- AT&T: No Objection
- Comcast: No Objection
- CenterPoint Energy: No Objection
- Texas Gas Service: No Objection

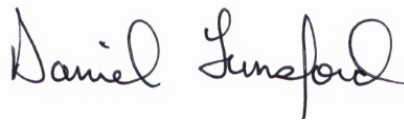


Background Information	In 2018 a similar request was presented to the Planning Commission for a charger at 2328 Avenue M in the Silk Stocking historic district. Planning Commission approved that request (18P-017).
Executive Summary	The applicant is requesting a Permanent License to Use to place a car charging station in the City's right-of-way along Ball Street / Avenue H in order to charge a personal electric vehicle the applicant owns. The adjacent residence also owned by the applicant occupies the majority of the lot, leaving little off-street parking area as an option.
Physical Characteristics	Please see Exhibit C for photographs of the current condition. If approved, the applicant is proposing to construct a housing for the charging station and install associated electrical lines underground.
License to Use	A License to Use (LTU) is required prior to placing items within or otherwise obstructing City right-of-ways in accordance with Chapter 32-5 of the City Code of Ordinances. When located within a historic district, the Landmark Commission reviews the request and provides a recommendation to the Planning Commission. The Planning Commission has the final decision authority for LTU requests. The Planning Commission will review on December 3, 2024.
Staff Recommendation	<p>The property does not have adequate space for off-street parking from the alley due to existing structures. It is unknown if there is adequate space for off-street parking in the front yard; regardless, new driveways and curb cuts in the historic districts is prohibited without Landmark Commission approval. The request for a License to Use is the most straightforward solution.</p> <p>Electric vehicle chargers can be thought of as spiritual successors to historic hitching posts. Hitching posts were used in the pre-automobile era to tether horses. Horses were, of course, a common form of transportation before automobiles. Hitching posts are found in the historic districts and are considered to be contributing elements. Historic districts are also neighborhoods inhabited by modern residents, and the needs of modern residents should be recognized.</p> <p>Staff does have concerns with the impact the proposed installation may have on existing, adjacent street trees. Staff recommends locating the charging station as far away from all street trees as possible in order to minimize potential damage to the root systems.</p> <p>Staff recommends approval of the request with the following conditions:</p> <p><i>Specific Conditions:</i></p> <ol style="list-style-type: none"> 1. The applicant shall conform to the site plan in Exhibit A for the placement of the charging station; 2. After the execution of the License to Use Agreement, the applicant shall secure all required permits and inspections; <ol style="list-style-type: none"> a. The applicant or designee shall coordinate with outside utilities to ensure no conflicts exist; b. The adjacent street trees shall be protected from damage during installation of the charger and associated infrastructure; 3. All charging cords shall be secured or removed from the right-of-way when not in use; 4. The automobiles shall be parked in the correct direction when charging (facing west); 5. The applicant shall be responsible for any damage to the right-of-way area caused by the installation and maintenance of the charging station, and should the right-of-way be damaged in any way, the applicant shall repair the area;

Standard Conditions:

6. The Licensee shall conform to all comments/conditions received from City departments and shall obtain all required permits, construction documents, and inspections. Should conformance with the comments/conditions require alterations to the project, as approved, the case must be returned to the Planning Commission for additional review and approval. Failure to comply with all comments/conditions may result in penalties and/or revocation of this permit;
7. The cleaning of the debris from the site shall be the responsibility of the Licensee;
8. The Licensee and all of the Licensee's rights granted are conditioned that owners of utility facilities, whether publicly or privately owned, have at all times access to the property made subject of the License, together with the right to enter the property and excavate for the purpose of repairing, replacing, locating and maintaining such utility facilities, if any;
9. The Licensee shall execute the License to Use Agreement within 90-days from the date the Planning Commission approved the License to Use, otherwise the Agreement shall be of no further effect and shall be considered as having been canceled fully;
- 10. LICENSEE UNDERTAKES AND PROMISES TO HOLD THE CITY OF GALVESTON HARMLESS AND TO INDEMNIFY AND DEFEND IT AGAINST ALL SUITS JUDGMENTS, COSTS, EXPENSES AND DAMAGES THAT MAY ARISE OR GROW OUT OF THE USE OR GRANT OF THE LICENSE TO USE CITY RIGHT-OF-WAY UNDER THIS AGREEMENT REGARDLESS OF FAULT;**
11. The City does retain the right and option to cancel the License and terminate all rights of the License upon ninety (90) days written notice of such cancellation and termination, sent to Licensee at the mailing address provided herein; and, Licensee agrees and shall be obligated to vacate the property made subject of the license and to remove all improvements and/or obstruction located thereon at Licensee's own expense prior to the expiration of said 90-day notification period

Respectfully Submitted,



Daniel Lunsford
Senior Planner

November 20, 2024

Date

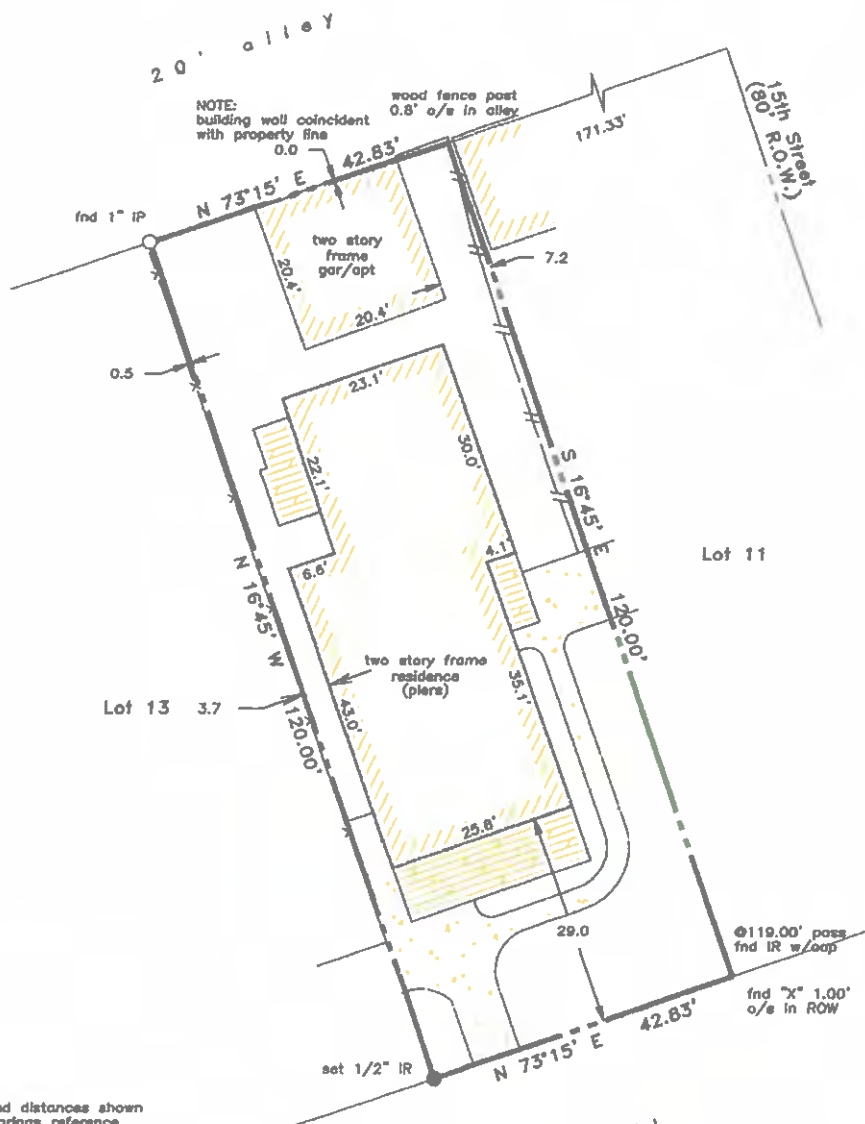


Catherine Gorman, AICP
Assistant Planning Director / HPO

November 20, 2024

Date

NATIONAL FLOOD INSURANCE PROGRAM
 FIRM Zone AE
 Panel 0026-E
 Community #485469
 December 6, 2002



NOTES:
 - True ground distances shown
 - Plat & bearings reference
 Plan of COG, Sandusky 1845
 - Survey monuments reconciled
 w/numerous previous surveys

Scale: 1" = 20'
 10 Feet 0 10 20 30

Ball
 (aka Avenue H)
 (70' R.O.W.)

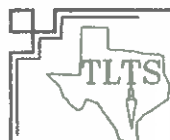
LAND TITLE SURVEY OF A TRACT OF LAND
 being Lot 12, in Block 315 in the City and
 County of Galveston, Texas.

Subject property: 1522 Ball
 Galveston County, Texas
 To M & K Diaz Real Estates Holdings, LLC,
 Allegiance Bank of Texas and
 Stewart Title Co., GF #15167030203;

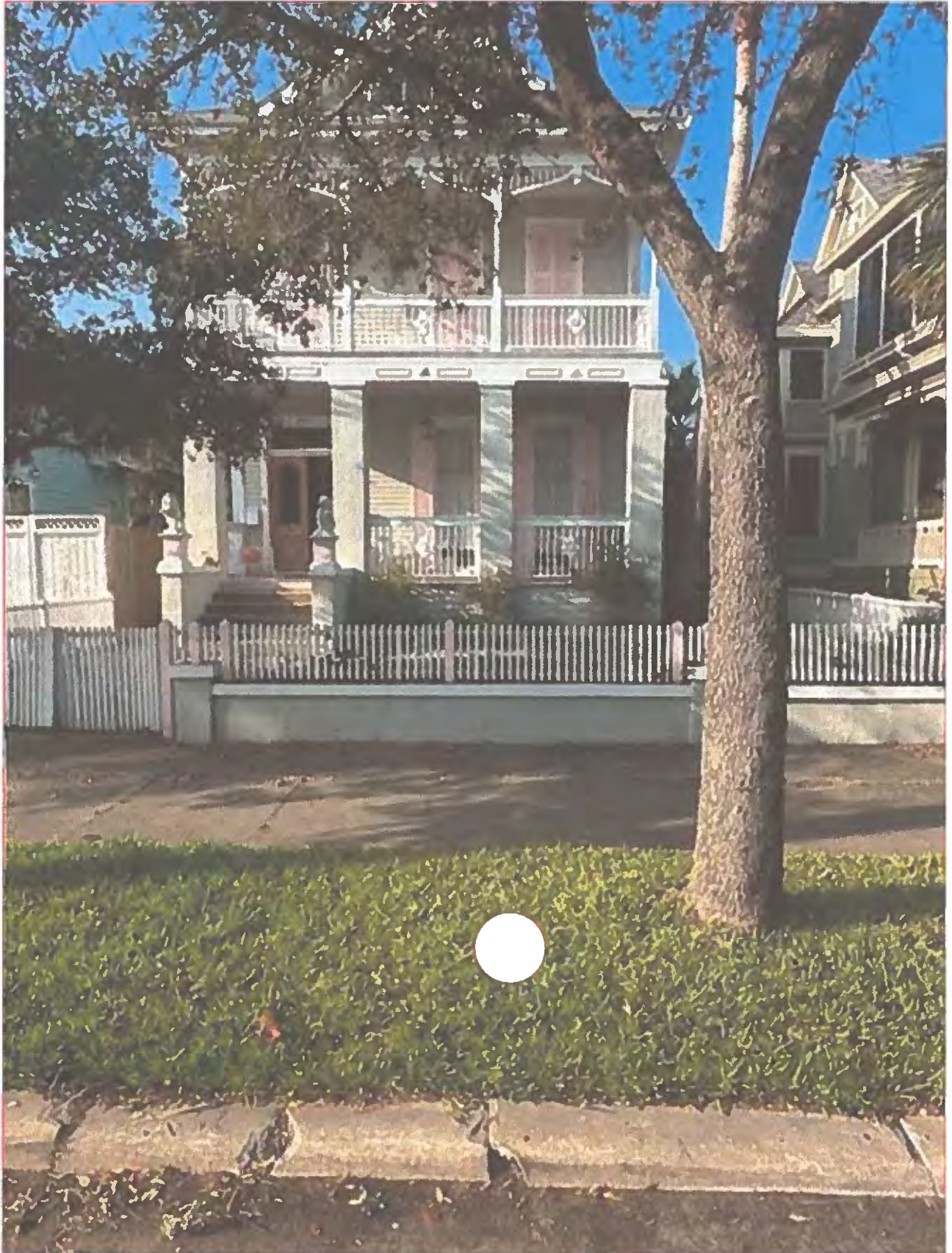
I hereby certify that this survey was made on the
 ground under my direct supervision and that this plat
 correctly represents the facts found at the time of the
 survey.



Laurence C. Wall
 RPLS #4814
 September 29, 2015



TLTS, Inc.
 TEXAS LAND TITLE SURVEYORS
 1801 Moody Avenue
 Galveston, Texas 77550
 (409) 785-8883



Proposed install Location is where the circle is located



Proposed install details:

- install 1' x 1' concrete support foundation.
- Bolt the charging mounting pole to the concrete – The electrical wire will be installed from the breaker box located at the back of the house and routed under ground and connect to the charger. It's approximately 105' from breaker box to proposed charging location. Specs and dimensions of equipment are attached. The install location is 4' West of the tree and located in center of grass area. Width of grass is 69" wide and the 1' x 1' concrete will be in center.
- Bushes and landscaping will be installed around the charger to decrease visibility



Beauty

EV Charging Mounting Pole Vehicle Charging Pile Easy Installation Aluminum Alloy

(No ratings yet)

About this item

- Wide Applications: charging mounting pole is suitable for garages, companies, parking lots, etc.
- High Quality Material: The mounted pedestal made of high quality aluminum alloy material, wear resistant, sturdy and durable to use.
- Clean and Organized: charging pedestal can not only place the wall connector charging station, but also can store the wires, clean and organized.
- Easy Installation: The electric vehicle charging station floor easy to install and perfect fit, with installation accessories, ensuring a firm and simple installation.
- Product Size: Vehicle charging pile, 1305mmx120mmx55mm.
- Specification:
 - Material: Aluminum Alloy
 - Product Size: 1305mmx120mmx55mm
 - Package Includes: 1set Electric Vehicle Charging Station(with Sun Visor)
 - Note: Please allow slightly errors due to manual measurement and different monitors.

[View full item details](#)

At a glance

Brand Beauty	Features Easy Installation	Vehicle type Car
Occasion All Occasion	Count 1	

[View all specifications](#)



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\$273.16

Price when purchased online

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Free shipping Free Holiday returns until Jan 31

Add to cart



Add a protection plan [What's covered](#)
(Only one option can be selected at a time)

3-Year plan - \$32.00

4-Year plan - \$43.00

How do you want your item?

Shipping
Arrives Nov 25
Free

Pickup
Not available

Delivery
Not available

Delivery to [Galveston, 77550](#)



Galveston 9PM 77551

What can ...



Galveston 9PM 77551

Shop All Services

DIY

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Home / Electrical / Renewable Energy / EV Chargers

Best Seller

ChargePoint

240-Volt Smart Flex Hardwire Charge Station for 20 Amp to 80 Amp Circuit Breakers

★★★★★ (75) Questions & Answers (23)



Feedback



Hover Image to Zoom

Share Print

\$549⁰⁰

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- Plug-in or hardwired installation for maximum convenience
- Ultra-fast EV charging with flexible amperage settings
- Compatibility with leading electric car models
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Pickup at Galveston

Delivering to 77551

[+](#) VIEW AVAILABLE OFFERS (5)

Looking for the GM NACS DC Adapter? Please sign up for public charging via your vehicle mobile app to view and purchase this product. [Learn](#)

[How To Order](#)

[+](#) Add Vehicle

[🔍](#) Search by Product or Part Number

[Parts](#) / [All Categories](#) / [EV Chargers & Related Parts](#) / [EV Chargers](#) / GM Genuine Parts PowerUp+ Level 2 Charger

OE



About This Product

Experience the ultimate in electric vehicle charging with the ChargePoint Home Flex Hardwire. This Level 2, 240-volt charging station takes EV charging to new heights, delivering lightning-fast charging speeds. Offering unparalleled versatility, this charging station has flexible amperage settings ranging from 16 to 50 amps. Designed for convenience, this hardwire is easy for any electrician to install outdoors. With 3 different installation options to suit your needs while accommodating circuit breaker ratings from 20 to 80 A, allowing for the fastest charging speeds of up to 50 A. Customize your charging experience using the ChargePoint app. After installation, simply use the app to select the optimal amperage for your home setup. The NEMA 6-50 and NEMA 15-50 plug options provide compatibility with existing 240-volt outlets. Check which plug type matches the outlet in your location. Please note that the NEMA plug options are only compatible with the 32A (40A breaker) or 40 A (50A breaker) amperage settings. Upgrade to the ChargePoint Home Flex Hardwire and unlock a world of fast, efficient, and intelligent EV charging.

Highlights

- Charging station: home flex hardware elevates your charging needs with the level 2, 240-volt EV charging station and cable that charges any EV up to 9X faster
- Smart app: ChargePoint app allows for selection of the right amperage, scheduling a charge, receiving reminders to plug in, and an Alexa voice control for effortless control
- Flexible amperage: compatible with electric cars and features flexible amperage settings from 16 amps to 50 amps for optimal charging speeds
- Installation options: install outdoors with ease with 3 installation options with an easy plug-in and hardwired installation option for maximum convenience
- Versatile support: nema 6-50 and NEMA 14-50 plug options for compatibility with existing 240 V outlets (check plug type for your location); NEMA plug options work with 32A (40A breaker) or 40 A (50A breaker) amperage settings
- [Click here for more information on Electronic Recycling Programs](#)
- [Return Policy](#)



Product Information


Internet # 326895987

Model # 99-003890-11

Store SKU # 1009763758

Additional Resources

[Shop All ChargePoint](#)



ChargePoint
240-Volt Smart Flex
Hardwire Charge...

★★★★★ (4.7 / 75)

\$549⁰⁰

Sponsored

Specifications

Dimensions: H 2.75 in, W 11 in, D 8 in

Dimensions

Cable Length (ft.)	23
Product Depth (in.)	8 in

Product Height (in.)	2.75 in
Product Width (in.)	11 in

Details

Amperage (A)	50 A
Charging Level	Level 2
Commercial/Residential	Residential
Features	Charges 1 Car, Corrosion resistant, Indicator light, Indoor/Outdoor, Overspeed protection, Weatherproof
Indoor/Outdoor	Indoor, Outdoor
Mounting Type	Wall Mounted
Power Input	Hard-Wired
Power Options	Hardwired
Product Weight (lb.)	17.60 lb
Remote Access	Remote Access
Requires Hub?	No Hub Required
Returnable	90-Day
Smart Home	Smart Home Enabled
Smart Home Protocol	Wi-Fi
Voice Control Hub Required	No Hub Required for Voice Control
Voltage (v)	240 v
Works With	Alexa, Alexa

Feedback

Warranty / Certifications

Certifications and Listings	UL Certified, UL Listed, cUL Listed
Manufacturer Warranty	3-year warranty

How can we improve our product information? Provide feedback.

Questions & Answers

23 Questions



Customer Reviews

4.8 out of 5 ★★★★★ (75)



Ask about this product

Get an immediate answer with AI

[Get an Answer](#)

AI-generated from the text of manufacturer documentation. To verify or get additional information, please contact The Home Depot customer service.

You Might Also Need



Galveston 9PM

77551

What can ...



Galveston 9PM

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Shop All Services



DIY



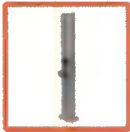
Log In

Home / Electrical / Renewable Energy / EV Chargers

Leviton

Single Mount Electric Vehicle Charging Station Pedestal

★★★★★ Questions & Answers



Hover Image to Zoom

Feedback

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Limit 2 per order

\$646⁷¹

Pay **\$596.71** after **\$50 OFF** your total qualifying purchase upon opening a new card. [Apply for a Home Depot Consumer Card](#)

- Allows for mounting of one Leviton EV charging station
- For use with Leviton EV320, EV32W, EV480, and EV48W only
- Compliant with ADA-recommended charge connect height
- [View More Details](#)

Pickup at Galveston

Delivering to 77551



Subject Property



Right of Way Looking NW



Right of Way Looking West



24P-045

STAFF REPORT

ADDRESS:

2018 60th Street

LEGAL DESCRIPTION:

Property is legally described as Lot 8R (8-18), of Two West, Replat of Lots 8 and 9, Garretts Subdivision, in the City and County of Galveston Texas

APPLICANT:

Development Services Department

PROPERTY OWNER:

Tricon Enterprises, Inc.

ZONING:

Residential, Single-Family, Planned Unit Development (R-1-PUD)

REQUEST:

Request to revoke a Planned Unit Development (PUD) approved under Ordinance 22-065

APPLICABLE ZONING REGULATIONS:

Article 4 of the Land Development Regulations (LDR)

EXHIBITS:

A – Ordinance 20-063

STAFF:

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

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
20				

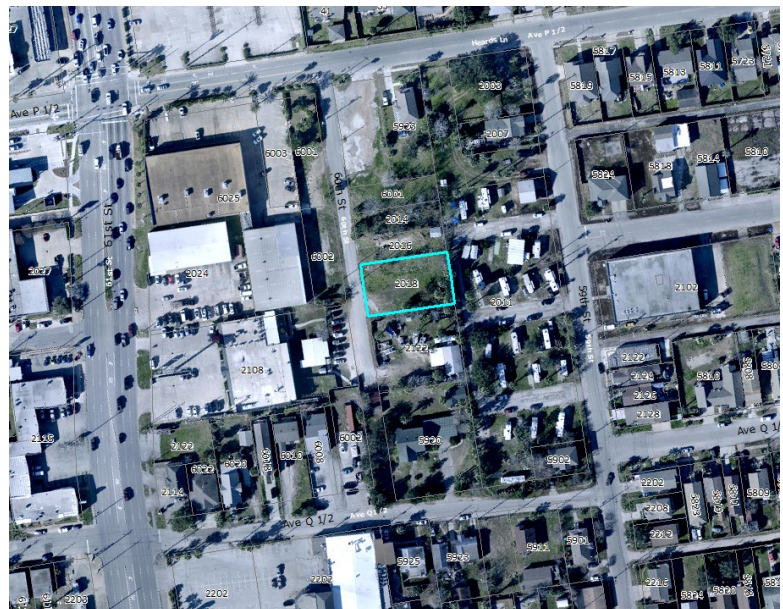
Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

City Department Notification Responses:

- Airport: No Objection
- Building Division: No Objection
- Fire Marshal: No Objection
- Fire Chief: No Objection
- Police Chief: No Objection
- Public Works: No Objection

Private Utilities Notification Responses:

- AT&T: No Objection
- Comcast: No Objection
- CenterPoint Energy: No Objection
- Texas Gas Service: No Objection



Executive Summary

In 2022, Charles Addison submitted a Planned Unit Development (PUD) request to allow for an "Office" land use on a property zoned Residential, Single-Family (R-1). This request was approved by City Council on November 17, 2022, under Ordinance 22-065.

Ordinance 22-065 includes the following condition:

A building permit(s) for the project shall be issued no later than 24- months from the date of City Council approval and shall proceed in accordance with Ordinance 20- 008, Timeframe for Permits for Construction Activity.

To date, no permits have been issued for the proposed development. For this reason, Development Services Staff is initiating the revocation of the PUD.

The owner has been informed of the revocation process.

Criteria for Revoking a Specific Use Permit (SUP)

Per Section 4.105 of the Land Development Regulations, the Planning Commission may recommend approval and City Council may grant the revocation of a PUD request if it is demonstrated that:

1. If a building permit for a use approved by Planned Unit Development(PUD) has not been issued within two (2) years of the date of final approval by City Council, the PUD and all associated plans shall expire unless the PUD specifically states otherwise or a state or federal declaration of a natural disaster occurs within such period, then the PUD will automatically be extended for one additional two (2) year period.
2. If a use approved by Planned Unit Development is discontinued for a period of one (1) year, then the PUD and all associated plans shall be deemed to have expired and be of no effect.


Staff Recommendation

Staff recommends approval of this request to revoke Ordinance 20-063 regarding a Specific Use Permit (SUP) due to the following:

- Failure to comply with Land Development Regulations Sec. 4.105 (A); and
- Violation of conditions approved under Ordinance 22-065.

City Council has the final decision regarding this PUD request. Council will hear this request on January 23, 2025.

Respectfully submitted,



 Catherine Gorman, AICP
 Assistant Director/HPO

12/27/2024

 Date

ORDINANCE NO. 22 -065

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT IN A RESIDENTIAL, SINGLE-FAMILY (R-1) ZONING DISTRICT TO ALLOW FOR AN “OFFICE” LAND USE ON PROPERTY COMMONLY KNOWN AS **2018 60TH STREET**, AND WHICH IS LEGALLY DESCRIBED AS LOT 8R, OF TWO WEST, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; PLANNING CASE NUMBER **22P-065**; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article 4 of the 2015 Galveston Land Development Regulations (LDR) allows for the creation of a Planned Unit Development (PUD) Overlay Zoning District; and,

WHEREAS, the Applicant, Charles H. Addison and property owner, Tricon Enterprises, Inc., are requesting to establish a Planned Unit Development (PUD) Overlay Zoning District in a Residential, Single-Family (R-1) base zoning district in order to provide for an office land use; and,

WHEREAS, as further detailed in the Staff Report, attached and incorporated herein as **Attachment 1** (including Exhibits), the subject site is a 10,800 square feet lot with direct access on 60th Street. The lot is located South of Heards Lane and East of the 61st Street Commercial Corridor; and,

WHEREAS, the subject site is zoned Residential, Single-Family (R-1). The R-1 district is intended to provide for single-family detached dwellings with complementary civic, recreational, and institutional uses. Commercial land uses, including office uses, are not permitted in the R-1 zoning district.; and,

WHEREAS, at its meeting of October 18, 2022, the Planning Commission voted to recommend approval of this request; and,

WHEREAS, Staff recommends approval of the request with conditions. The proposed development is a compatible infill development not contrary to the goals and objectives of the 2011 Comprehensive Plan, and meets the criteria for approval. The proposed development complements the character of the existing neighborhood and will not be out-of-scale nor create inconsistencies with the overall development patterns and uses in the immediate area; and,

WHEREAS, after notice and conduct of a public hearing, the City Council of the City of Galveston, Texas, deems it in the public interest to grant Applicant’s request for a Planned Unit Development (PUD) Overlay Zoning District in a Residential, Single-Family (R-1) base zoning district on property commonly known as 2018 60th Street, in the City and County of Galveston, Texas, subject to the conditions set forth in **section 3** below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct, and they are adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Subject to certain conditions set forth in **Section 3** below, the Applicant is hereby granted a Planned Unit Development (PUD) Overlay Zoning District in a Residential, Single-Family (R-1), on property commonly known as 2018 60th Street, and which is legally described as Lot 8R, of Two West, in the City and County of Galveston, Texas.

SECTION 3. The Planned Unit Development (PUD) Overlay Zoning District is subject to the following conditions:

Specific Conditions - 21P-065:

1. Granting of a PUD zoning district shall not relieve the developer from complying with all other applicable sections of the Land Development Regulations (LDR), and other Codes and Ordinances of the City of Galveston, unless such relief is specified in the approved PUD plan and PUD ordinance. Relief provided by this PUD plan includes:
 - a. Deviate from Table 2.201 of the Land Development Regulations, which prohibits “Office” land use in the R-1 zoning district;
2. Visual Screening from residential uses or districts shall be provided on the side and rear yard of the property. Screening shall consist of solid fencing with a minimum fence height of six feet, but not exceeding eight feet.
3. The development shall conform to the site plan and design details included with the PUD application and ordinance;
4. A building permit(s) for the project shall be issued no later than 24-months from the date of City Council approval and shall proceed in accordance with Ordinance 20-008, Timeframe for Permits for Construction Activity;
5. There shall be no nuisance created or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties;

Standard Conditions of a Planned Unit Development (PUD):

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

SECTION 4. The zoning classification for this property shall be changed to Residential, Single-Family (R-1), PUD overlay and shall be designated as Residential, Single-Family (R-1)

PUD on the zoning maps of the City of Galveston, subject to the conditions set forth in **Section 3** above.

SECTION 5. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by a final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 8. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

DocuSigned by:
Donna Fairweather
6A59EBFC33E64A0...
DONNA M. FAIRWEATHER
SR. ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Special Meeting held on November 17, 2022, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 18th day of November, 2022.



DocuSigned by:
Janelle Williams
F12776E17F29488...
Secretary for the City Council
of the City of Galveston

City Council

Planning and Development Division

City of Galveston

November 17, 2022

**22P-065****STAFF REPORT****ADDRESS:**2018 60th Street**LEGAL DESCRIPTION:**

Property is legally described as Lot 8R, of Two West, in the City and County of Galveston Texas.

APPLICANT/REPRESENTATIVE:

Charles H. Addison

PROPERTY OWNER:

Tricon Enterprises, Inc.

ZONING:

Residential, Single-Family (R-1)

REQUEST:

Planned Unit Development (PUD)

APPLICABLE LAND USE REGULATIONS:

Article 4 of the Land Development Regulations

STAFF RECOMMENDATION:

Approval with Conditions

ATTACHMENTS:

A - Aerial Map

B – Applicant’s Submittal

STAFF:

Adriel Montalvan

Planning Manager

409-797-3645

amontalvan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
21		4		1

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: None

**Executive Summary**

The request is to incorporate the Planned Unit Development (PUD) Overlay District to a Residential, Single-Family (R-1) base zoning district to allow for an office land use. The intent of this PUD request is to:

1. Deviate from Table 2.201 of the Land Development Regulations, which prohibits “Office” land use in the R-1 zoning district.

Site Details

The subject site is a 10,800 square feet lot with direct access on 60th Street. The lot is located South of Heards Lane and East of the 61st Street Commercial Corridor.

Compatibility with Base and Surrounding Zoning and Land Uses

Staff finds that the proposed office use is generally compatible with surrounding zoning and land uses. The proposed structure is designed similarly to a residential single-family structure, and meets all of the R-1 development standards. Additionally, the office use does not further intensify the commercial uses currently in operation directly to the west of the subject property, on 61st Street.

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

Ability of the Property to be used under Current Zoning

The subject site is zoned Residential, Single-Family (R-1). The R-1 district is intended to provide for single-family detached dwellings with complementary civic, recreational, and institutional uses. Commercial land uses, including office uses, are not permitted in the R-1 zoning district.

PUD Details /Development Plan

The purpose or intent of the PUD	The intent of this PUD request is to deviate from Table 2.201 of the Land Development Regulations, which prohibits "Office" land use in the R-1 zoning district. The owner intends to construct a high raised frame house for office use.
PUD Land Uses	Office land use. No prohibitions of other uses permitted in the R-1 base zoning district (R-1).
Density	One high raised framed building for office use.
Building Height	The proposed building height will be approximately 27 feet. The structure will comply with all R-1 development standards.
Building Setbacks	The proposed structure will be setback 30 feet along 60 th Street. Setbacks from the North, South and rear property lines shall follow minimum setbacks as currently allowed under R-1 zoning district for the area. See attached site plan for proposed building location.
Limits of Construction	Construction will include the high raised structure only. No additional structure is planned.
Building Elevations	Please refer to perspectives and elevations provided for exterior design.
Vehicular Parking	There will be four parking spaces located to the rear of building.
Pedestrian Access	The property is served by 60 th Street, which is a 30-foot right-of-way, leaving no space for public pedestrian

	access/sidewalks. No change to street access from 60th Street is planned.
Streets and Circulation	There are no public or private streets within the site. The property is served by existing 60 th Street.
Screening and Landscape	Screening will be provided by wood fencing. Landscaping will consist of hedged shrubbery.
Environmental Protection	Per all regulations of the City of Galveston.
Signage	A wall sign or door decal, stating the company name, is requested. It will be placed on the front of the building at the entrance. The sign will not exceed 2 square feet. The sign will not be internally lit or back lit.
Lighting	New site lighting will comply with the site lighting requirements established for the surrounding R-1 zoning.
Phasing or Scheduling	The proposed building design is complete. Application for a building permit will be made upon approval of the PUD.
Unique characteristics or exceptional circumstances	The West side of 60th Street is a commercial/vacant parking area for an animal clinic, Yamato's Restaurant, Goodyear Tire company and GIA Insurance company. The only access to 60th Street is from Heards Lane. Access to Avenue Q ½ is blocked by private property, making this a dead end street.

Criteria for Approval

Per Section 13.601.C of the Land Development Regulations, the Planning Commission may recommend approval and City Council may grant the approval of a rezoning request if it is demonstrated that:

1. The proposed zoning is preferable to the existing zoning in terms of its likelihood of advancing the goals, objectives, and policies of the City of Galveston 2011 Comprehensive Plan and other adopted neighborhood plans, special area plans, redevelopment plans, or other plans applicable to the area;
2. The proposed zoning is consistent with the future land use map of the City of Galveston 2011 Comprehensive Plan (a future land use map amendment may be processed concurrently with the rezoning);
3. The proposed change is consistent with the implementation of existing or pending plans for providing streets, water and wastewater, other utilities, and the delivery of public services to the area in which the parcel proposed for rezoning is located;
4. The range of uses and the character of development that is allowed by the proposed zone will be compatible with the properties in the immediate vicinity of the parcel proposed for rezoning, and the parcel proposed for rezoning has sufficient dimensions to accommodate reasonable development that complies with the requirements of these Regulations including parking and buffering requirements;
5. The pace of development and/or the amount of vacant land currently zoned for comparable development in the vicinity suggests a need for the proposed

rezoning in order to ensure an appropriate inventory of land to maintain a competitive land market that promotes economic development.

Other Reviews

At the October 18, 2022 regular meeting, Planning Commission voted unanimously to recommend approval of this request.

Staff Recommendation

Staff finds that the proposed development is a compatible infill development not contrary to the goals and objectives of the 2011 Comprehensive Plan, and meets the above referenced criteria for approval. The proposed development complements the character of the existing neighborhood and will not be out-of-scale nor create inconsistencies with the overall development patterns and uses in the immediate area.

Staff recommends Case 22P-065 be approved with the following conditions:

Specific Conditions to 22P-065;

1. Granting of a PUD zoning district shall not relieve the developer from complying with all other applicable sections of the Land Development Regulations (LDR), and other Codes and Ordinances of the City of Galveston, unless such relief is specified in the approved PUD plan and PUD ordinance. Relief provided by this PUD plan includes:
 - a. Deviate from Table 2.201 of the Land Development Regulations, which prohibits "Office" land use in the R-1 zoning district;
2. Visual Screening from residential uses or districts shall be provided on the side and rear yard of the property. Screening shall consist of solid fencing with a minimum fence height of six feet, but not exceeding eight feet.
3. The development shall conform to the site plan and design details included with the PUD application and ordinance;
4. A building permit(s) for the project shall be issued no later than 24-months from the date of City Council approval and shall proceed in accordance with Ordinance 20-008, Timeframe for Permits for Construction Activity;
5. There shall be no nuisance created or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties;

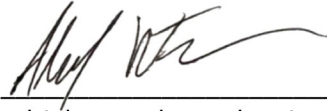
Standard Conditions of a Planned Unit Development (PUD):

6. The applicant shall adhere to all comments/conditions received from City departments;
7. Any change or revisions to the adopted PUD Plan shall require an amendment to the PUD ordinance, which requires review by the Planning Commission and City Council. Minor additions and modifications to the approved PUD plan meeting the criteria set forth in Article 4, Section 4.102 (d)(3) of the Land

Development Regulations (LDR) may be approved by the Development Services Department; and,

8. The applicant shall submit for approval all plans to the Development Services Department for compliance with all City codes.

Respectfully Submitted,



Adriel Montalvan, Planning Manager

11/08/2022

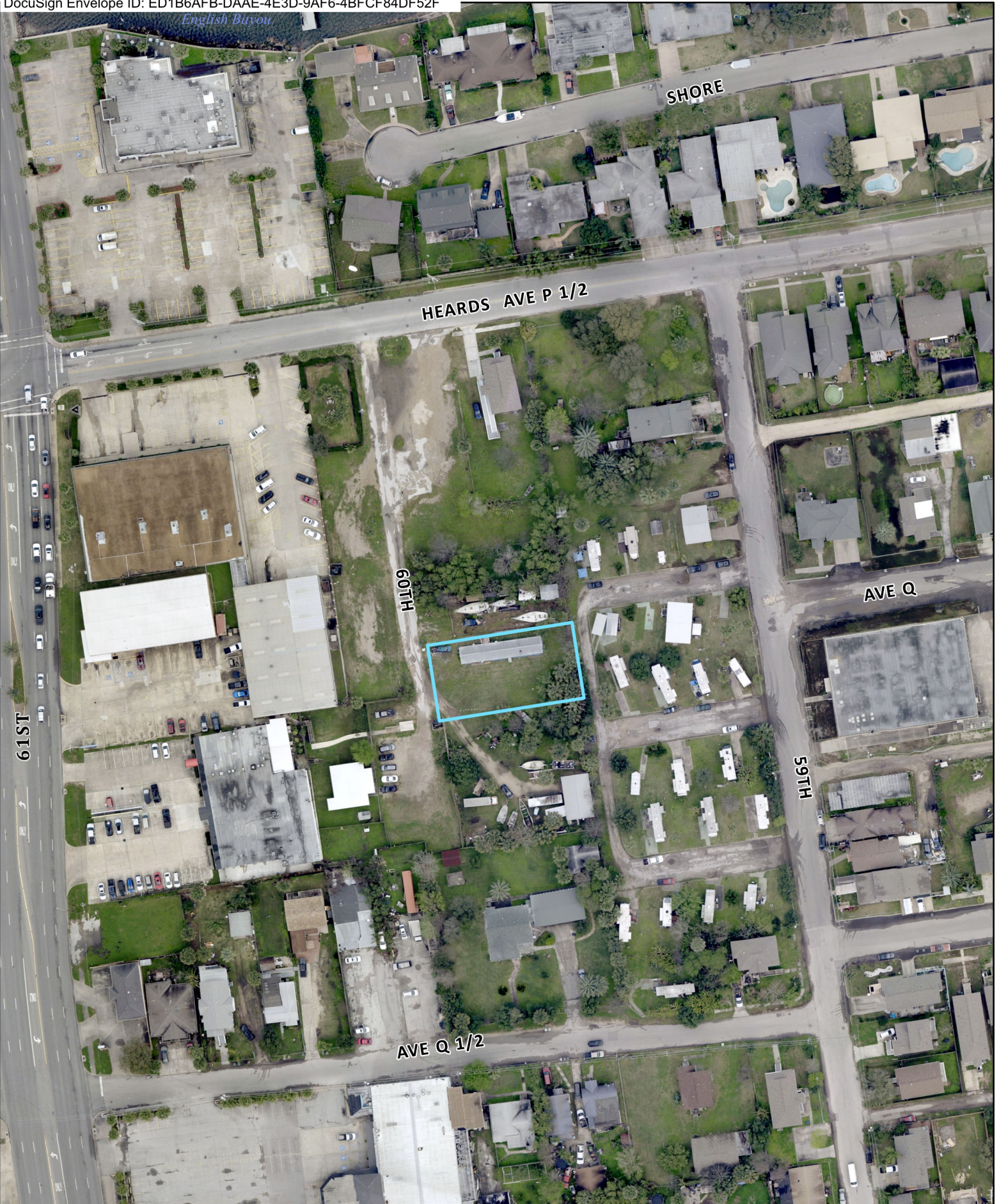
Date



Catherine Gorman, AICP, Assistant Director/HPO

11/08/2022

Date



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.



August 30, 2022

Addison Planned Unit Development

2018 60th Street

Galveston, TX. 77551

PUD DEVELOPMENT PLAN

Purpose and Intent:

The property consists of one (1) lot. The overall size is 80' x 135', for a total area of 10,800 square feet. The property is located South of Heard Lane on the East side of 60th Street. The site is currently vacant. The proposed use of the site is an office for a professional services business with a maximum of 2-3 employees.

The owner wishes to construct a high raised frame house/office, (See attached building elevations for character of proposed structure) that will comply with the current R-1 development standards. The structure will be approximately 1,500 square feet. The building design is intended to be utilized as an office.

If the PUD is ever extinguished or property reverts back to R-1, the building can easily be converted to a house. It will consist of 2 bedrooms/offices, 2 bathrooms, utility room, kitchen and main living/office space. Parking for 4 vehicles will be located rear of building.

Because of the nature and limited size of the business, there will be minimal client interaction on site. This should pose no noticeable impact on activity within the area. The business does not require any more deliveries than would be typical of a residence.

Neighboring properties to the North and South are vacant. The property in the rear is an RV park. The East side of 60th Street contains 6 vacant lots. The West side of 60th Street is commercial property. There has been no development on either side of 60th Street in (at least) the past 48 years.

PUD Land Usage:

Minimum land area requirement for a Planned Unit Development is 10,000 square feet. The site is 10,800 square feet. A high raised single story house will be built on the site. The house will comply with R1 development standards.

Building Height:

The proposed building height will be approximately 27 feet.

Building Setbacks:

The proposed building will be setback 30 feet along 60th Street. Setbacks from the North, South and rear property lines shall follow minimum, as currently allowed under R-1 zoning for the side and rear, 0 feet from the property line (See attached site plan for proposed building location).

Limits of Construction:

Construction will include the high raised house only. No additional structure is planned.

Building Elevation:

New Construction will comply with current FEMA elevation requirements as amended by the City of Galveston.

Vehicular Parking:

There will be 4 parking spaces located rear of building.

Pedestrian Access:

The property is served by 60th Street, which is a 30 foot right-of-way, leaving no space for public pedestrian access/sidewalks. No change to street access from 60th Street is planned.

Streets and Circulation:

There are no public or private streets within the site. The property is served by existing 60th Street.

Screening and Landscaping:

Screening will be provided by wood fencing. Landscaping will consist of hedged shrubbery.

Environmental Protection:

Not Applicable.

Signage:

A wall sign or door decal, stating the company name, is requested. It will be placed on the front of the building at the entrance. The sign will not exceed 2 square feet. The sign will not be internally lit or back lit.

Site Lighting:

New site lighting shall comply with the site lighting requirements established for the surrounding R-1 zoning.

Phasing or Scheduling:

The proposed building design is complete. Application for a building permit will be made upon approval of the PUD.

Deviation Justification:

The use of land for an "Office" is not allowed under R1 (Residential, Single Family) zoning. A deviation is requested since the structure will be built like a single resident home, will be used for professional services, will have little impact on traffic in the area, and will stimulate improvements to an underdeveloped, blighted area that sits across the street from commercial property.

Unique Characteristics:

The West side of 60th Street is a commercial/vacant parking area for an animal clinic, Yamato's Restaurant, Goodyear Tire company and GIA Insurance company. The only access to 60th Street is from Heards Lane. Access to Q ½ Street is blocked by private property, making this a dead end street.

INFRASTRUCTURE

Utilities

The water and sanitary sewer are existing and provided by the City of Galveston via public right-of-way (60th Street). Overhead electrical provided by Centerpoint along 60th Street.

Easements

There are no easements within the site.

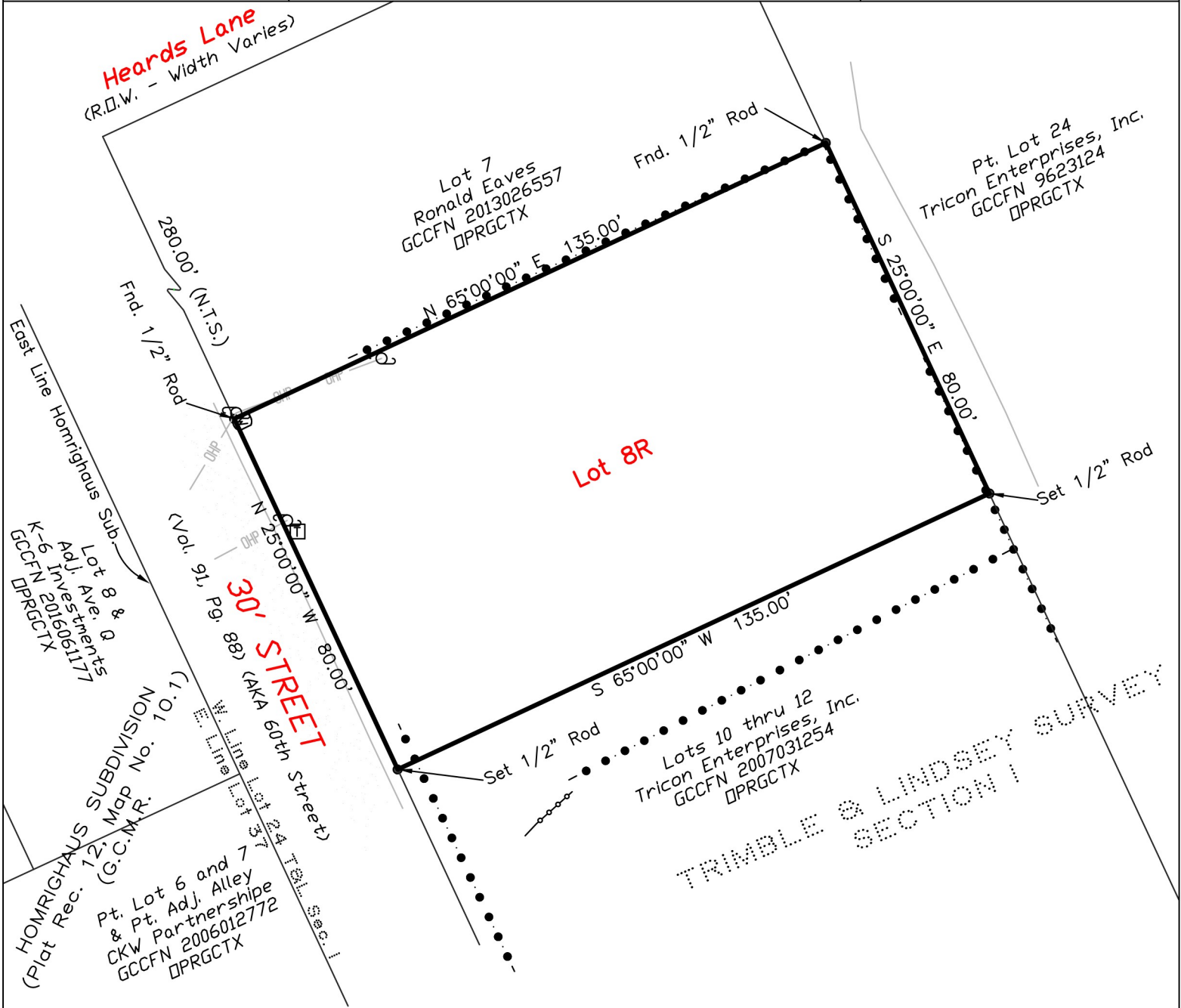
PUD Garbage Collection:

Trash collection is provided by the City of Galveston via the public right-of-way (60th Street).

TLS Job No 20-0784

2018 60th Street, Galveston, TX 77551

Ref No: 3540-0000-0008-001



Survey of Lot Eight-R (8R), of TWO WEST, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Galveston County Clerk's File No. 2021081248 in the Official Public Records of Real Property of Galveston County, Texas.

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

Brene Addison
 Brene Addison
 Registered Professional
 Land Surveyor No. 6598



SCALE: 1" = 30'



- NOTES:
- 1) This property is subject to the building and zoning ordinances of the City of Galveston.
 - 2) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
 - 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA and/or the local power company.
 - 4) Bearings are based on the monumentation of the East right-of-way line of 60t Street.

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

Legend:

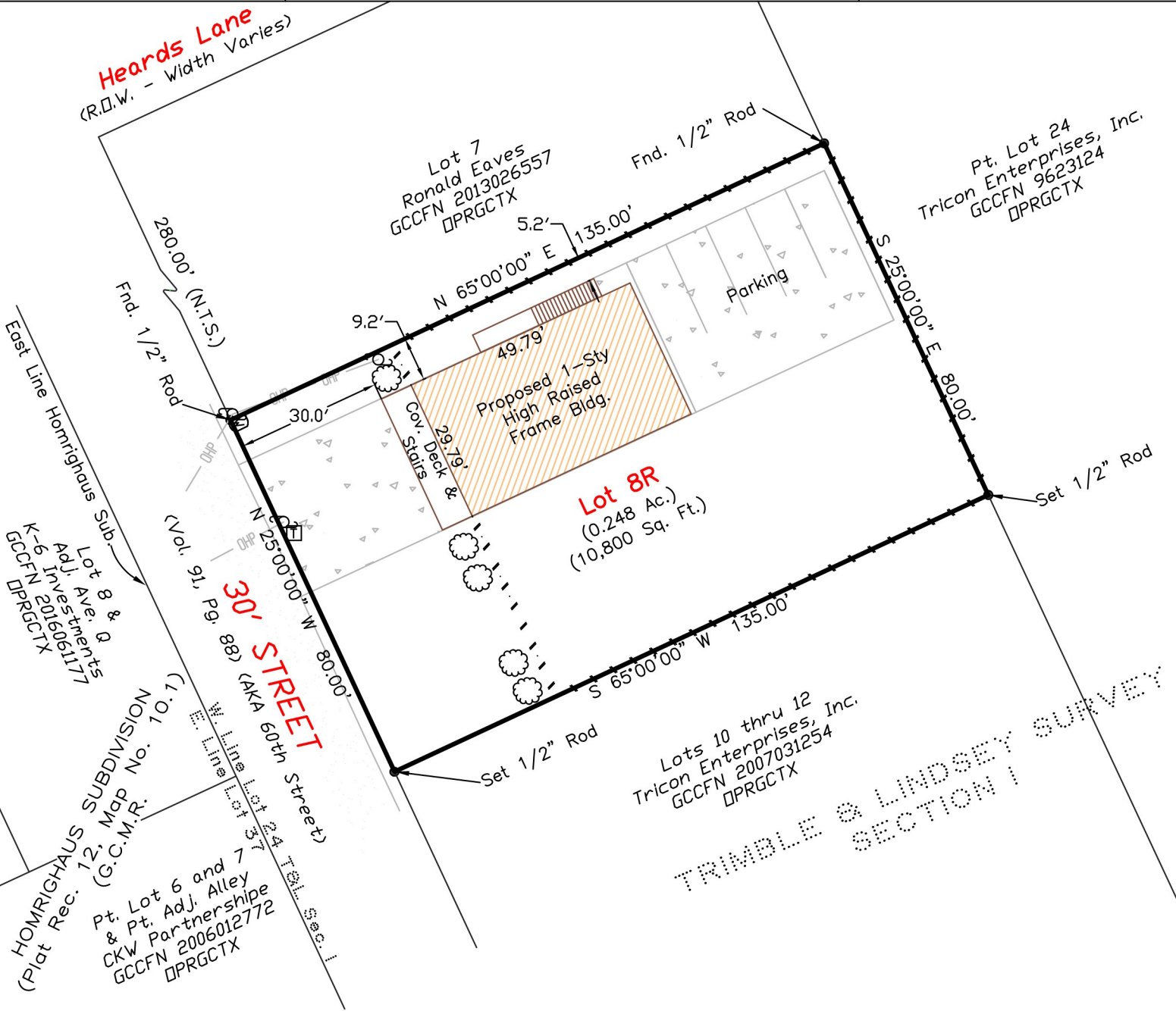
- Overhead Power
- Chain Link Fence
- Power Pole
- Water Meter
- Telephone Box
- Spot Elevation (Typ.)
- Contour Line

TRICON LAND SURVEYING, LLC

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

Drafting: LP Survey Date: January 3, 2022

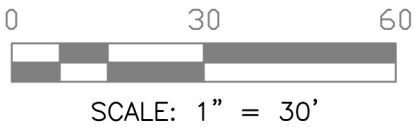
Surveyed for: Charles Addison



SITE PLAN

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

Brene Addison
Brene Addison
Registered Professional
Land Surveyor No. 6598



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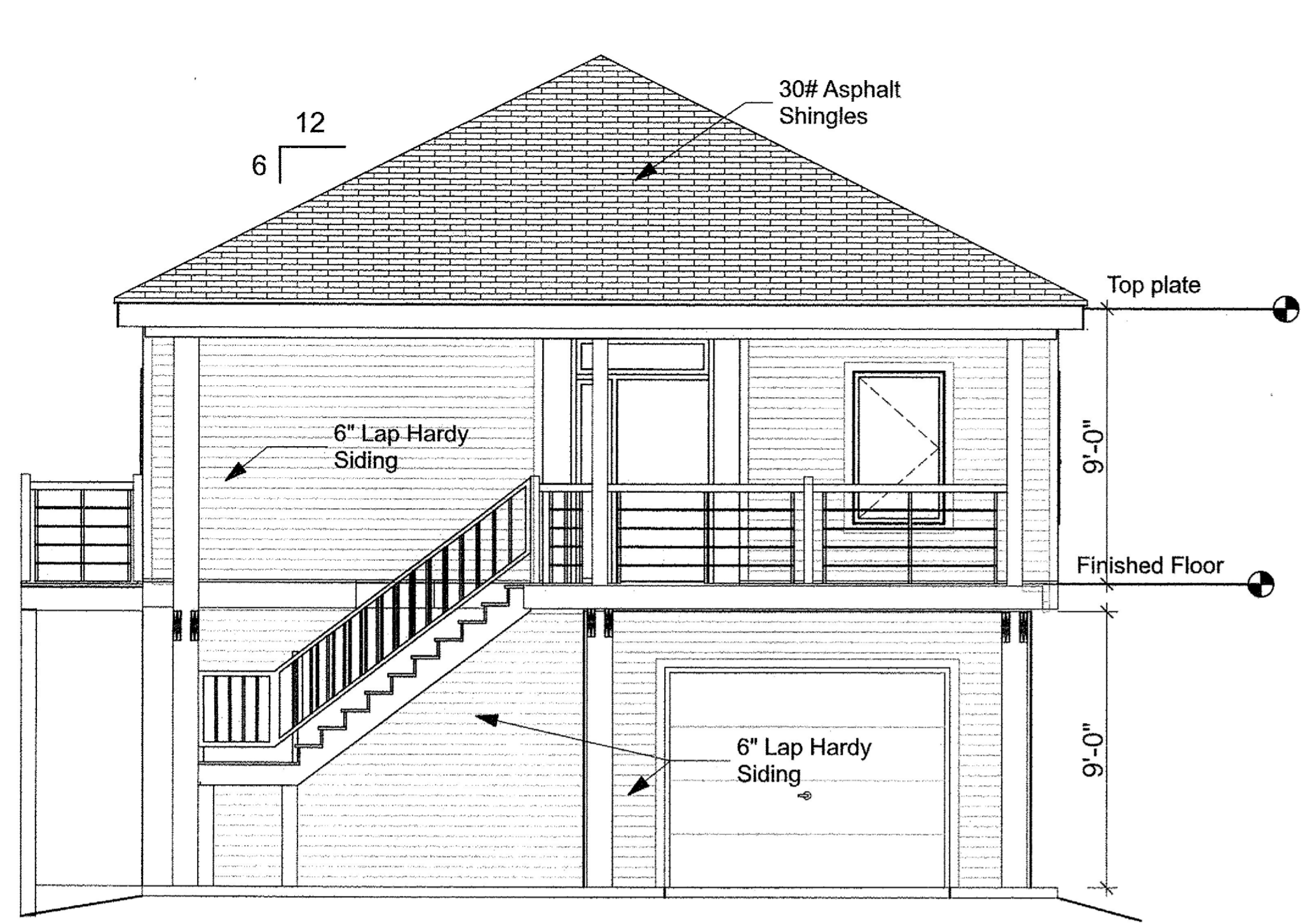
Legend:

- OHP — Overhead Power
- Proposed Wood Fence
- ⊙ Power Pole
- ⊕ Water Meter
- ⊞ Telephone Box
- ⊗ Planting (TBD)
- ▭ Asphalt
- ▨ Asphalt

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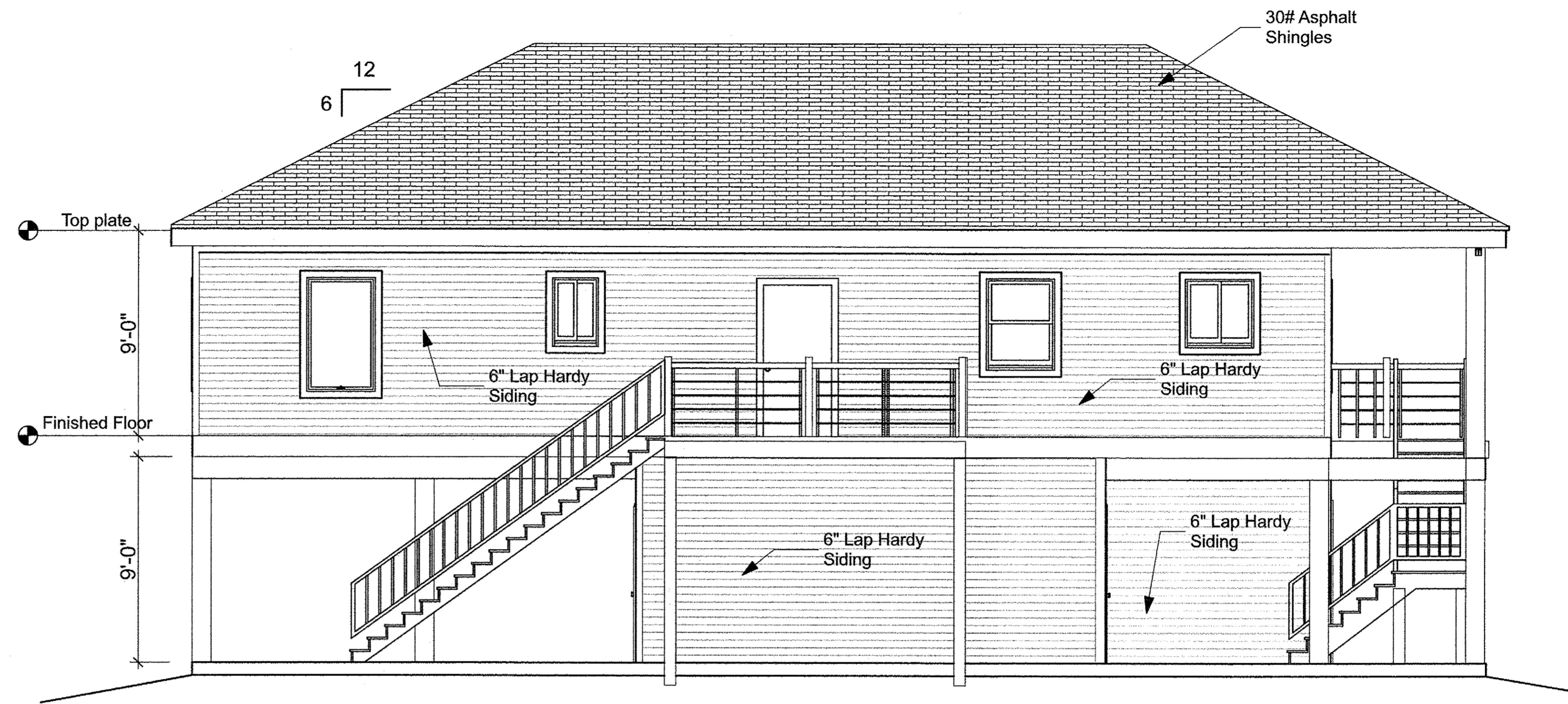
Drafting: LP | Survey Date: January 3, 2022
Surveyed for: Charles Addison



WEST ELEVATION

SCALE: 1/4" = 1' - 0"

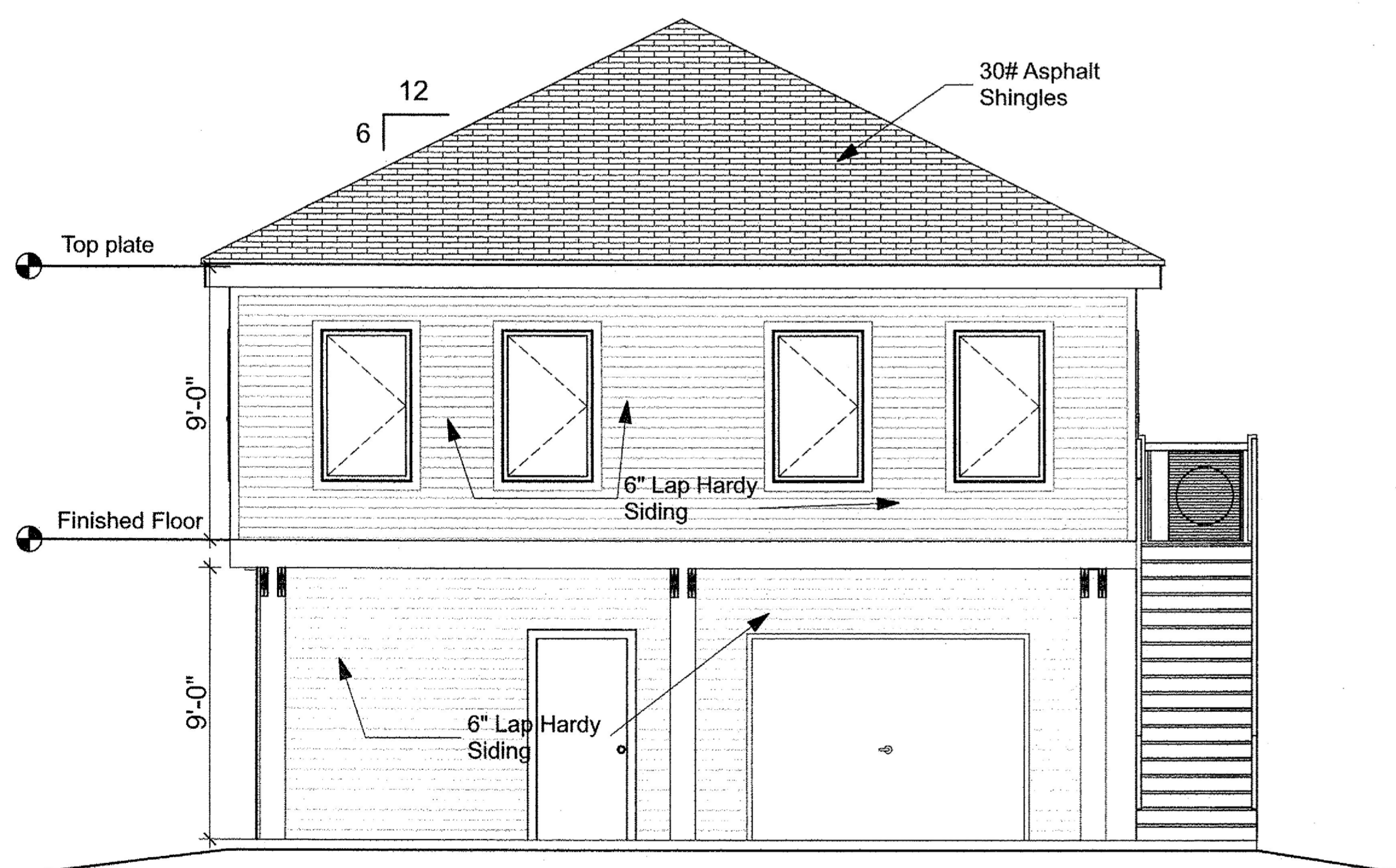
1
A-201



NORTH ELEVATION

SCALE: 1/4" = 1' - 0"

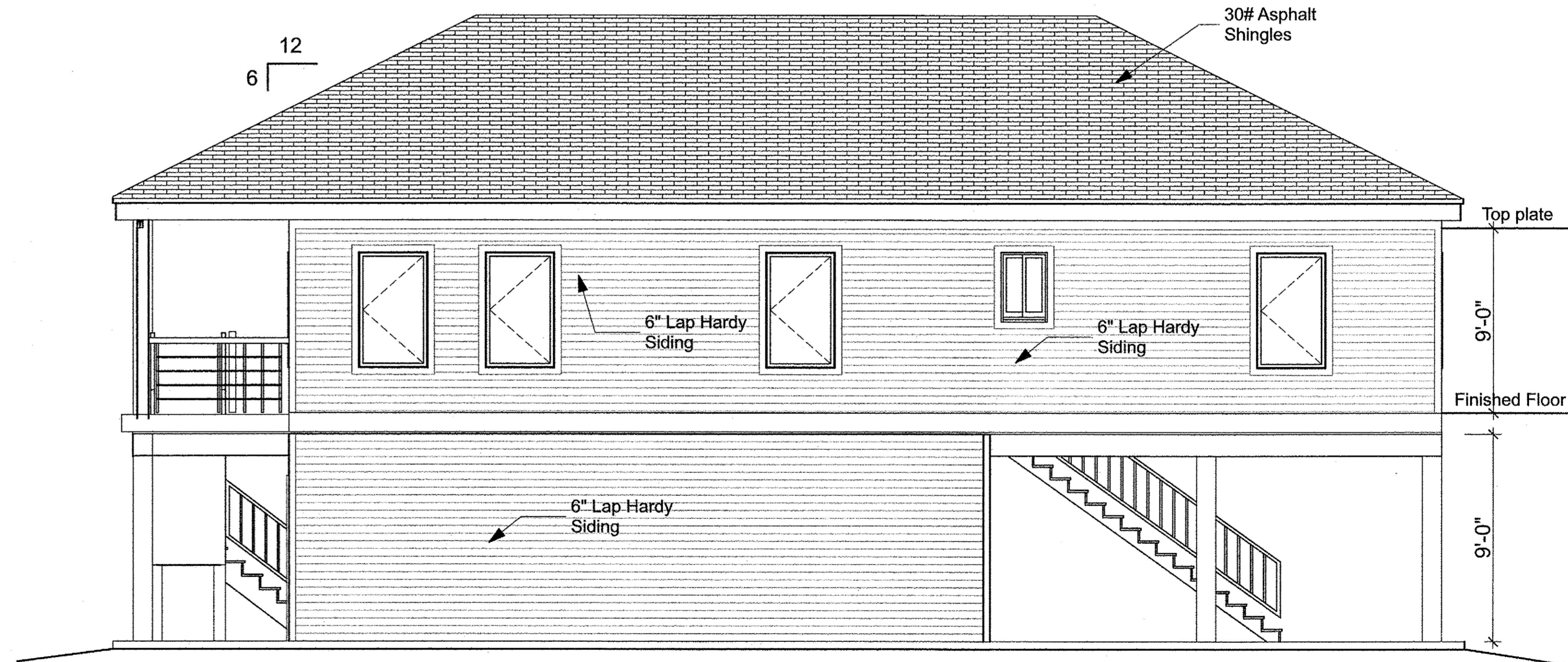
2
A-201



EAST ELEVATION

SCALE: 1/4" = 1' - 0"

1
A-202



SOUTH ELEVATION

SCALE: 1/4" = 1' - 0"

1
A-203



ADDISON RESIDENCE

2122 60th STREET
GALVESTON, TX 77554
PHONE: 409-761-0179

ARCHITECT:

Karen Barratt
2641 Gerol Drive
Galveston, TX 77551
Ph # 409-744-2517

ENGINEER:

ERIC G. RUSSEK
Ph # 281-678-2800

A-1