



City of Galveston

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GALVESTON
REGULAR MEETING – March 7, 2023

CALL MEETING TO ORDER

The meeting was called to order at 3:31 p.m.

ATTENDANCE

Members Present: Rejone Edwards, David Finklea, Jeffrey Hill, Stan Humphrey, Mary Jan Lantz, Steven Peña, Rusty Walla, Councilmember John Paul Listowski

Members Absent: None

Staff Present: Tim Tietjens, Executive Director; Catherine Gorman, AICP, Assistant Director/Historic Preservation Officer; Adriel Montalvan, Planning Manager; Daniel Lunsford, Senior Planner, Kyle Clark, Coastal Resources Manager; Karina Rosales, Planning Technician; Donna Fairweather, Assistant City Attorney

CONFLICT OF INTEREST

Jeffrey Hill, Case 23P-014

APPROVAL OF MINUTES

The February 7, 2023, and February 21, 2023 minutes were accepted as presented.

PUBLIC COMMENT

See attached list for presentations to the Commission.

PUBLIC HEARING

23BF-011 (21119 W. Sandhill Dr) Notice of mitigation for disturbance of dunes and vegetation. Property is legally described as SANDHILL SHORES ADDN (2000), ABST 121, LOT 3, ACRES 0.399, a subdivision in the City and County of Galveston, Texas.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

Commissioner Hill stepped away from the dais at 3:36 pm.

ABANDONMENT

23P-014 (Adjacent to 1228 Harborside) Request for an Abandonment of approximately 4,800 square-feet of 13th Street Right-of-Way. Adjacent property is legally described as M. B. Menard Survey, Lot 14, Block 732, in the City and County Galveston, Texas.

Applicant: J. Marcus Hill, Attorney

Adjacent Property Owner: Robert W. and Mary T. Jones

Easement Holder: City of Galveston

Staff presented the staff report and noted that of thirteen notices of public hearing sent, three were returned.

Chairperson David Finklea opened the public hearing on the case. J. Marcus Hill, applicant, gave a presentation to the Commission. The public hearing was closed and the Chairperson called for a motion.

Steven Peña made a motion to recommend approval of the request with Staff's Recommendations. Rejone Edwards seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor: Edwards, Finklea, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski
Declared Conflict of Interest: Hill

The motion passed.

Commissioner Jeffrey Hill returned to the dais at 3:46pm.

BEACHFRONT CONSTRUCTION AND DUNE PROTECTION PERMIT

23P-004 (12031 Sand Dollar Beach Drive) Request for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a single-family dwelling with fibercrete driveway and fibercrete footer. Property is legally described as Sand Dollar Beach (2017) Abstract 121, Lot 3, Acres 0.132

Applicant: Doyle Alfrey
Property Owner: Randy McGuffey

Staff presented the staff report.

Chairperson David Finklea opened the public hearing on the case. Doyle Alfrey, Applicant; Randy McGuffey, Property Owner; gave a presentation to the Commission. The public hearing was closed and the Chairperson called for a motion.

Rusty Walla made a motion to approve the request with Staff's Recommendations. David Finklea seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor: Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion passed.

23P-010 (33 Grand Beach Blvd) Request for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a single-family beachfront dwelling with fibercrete driveway and fibercrete footer. Property is legally described as ABST 628 M B MENARD SUR LOT 5A BLK 2 RPLT PRESERVE AT GRAND BEACH

Applicant: Jimmy Wisner
Property Owner: Goran and Orpha Haag

Staff presented the staff report.

Chairperson David Finklea opened the public hearing on the case. The public hearing was closed and the Chairperson called for a motion.

Steven Peña made a motion to approve the request with Staff's Recommendations. Jeffrey Hill seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor: Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion passed.

LICENSE TO USE

23P-008 (Adjacent to 2102 Mechanic / Avenue C) Request for a License to Use in order to retain construction fencing. Adjacent property is legally described as M.B. Menard Survey, Lot 8 And East 28-6 Feet of Lot 9, Block 621, in the City and County of Galveston, Texas.

Applicant: Melissa Quijano, Goldman Investments – The Cotton Exchange, LLC.

Adjacent Property Owner: Goldman Investments – The Cotton Exchange, LLC.

Easement Holder: City of Galveston

Staff presented the staff report and noted that of twenty-two notices of public hearing sent, six were returned all in favor of the request.

Chairperson David Finklea opened the public hearing on the case. The public hearing was closed and the Chairperson called for a motion.

Jeffrey Hill made a motion to approve the request with a change to specific condition number two to read the license to use shall be valid until June 14, 2023. Rejone Edwards seconded.

Stan Humphrey made a motion to amend the main motion to change the date to be valid only through August 14, 2023. Rusty Walla seconded.

The Chairperson called for questions or comments from the Commission on the motion to amend. The following votes were cast:

In favor: Edwards, Finklea, Humphrey, Lantz, Peña, Walla
Opposed: Hill
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion for the amendment passed.

The Chairperson called for questions or comments from the Commission on the main motion. The following votes were cast:

In favor: Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion passed.

23P-009 (Adjacent to 414 Kempner / 22nd Street) Request for a License to Use in order to retain construction fencing and scaffolding. Adjacent property is legally described as M.B. Menard Survey, Part of Lots 13, 14 and South 1-6 Feet of Adjacent Alley (13-3), Block 501, in the City and County of Galveston, Texas.

Applicant: John Preston

Adjacent Property Owner: Sullivan and Preston Holdings, LLC.

Easement Holder: City of Galveston

Staff presented the staff report and noted that of ninety-three notices of public hearing sent, five were returned in favor of the request.

Chairperson David Finklea opened the public hearing on the case. John Preston, Applicant gave a presentation to the Commission. The public hearing was closed and the Chairperson called for a motion.

Jeffrey Hill made a motion to approve the request with Staff's Recommendations and a change to specific condition number 2: LTU shall be valid until the completion of the project but not later than March 7, 2024. Stan Humphrey seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor: Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion passed.

23P-011 (Adjacent to 1307 27th Street and 2702 Ursuline/Avenue N) Request for a License to Use for aerial encroachment of 28th Street, for GISD stadium press box. Adjacent property is legally described as M.B. Menard Survey, Northeast and Southeast Block 15, Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: Ed Ramirez, PBK Architects, Inc.

Adjacent Property Owners: ISD Galveston

Easement Holder: City of Galveston

Staff presented the staff report and noted that of fifty-two notices of public hearing sent, two were returned in favor of the request.

Chairperson David Finklea opened the public hearing on the case. Ed Ramirez, PBK Sports and David H. O'Neal, resident, gave a presentation to the Commission. The public hearing was closed and the Chairperson called for a motion.

Mary Jan Lantz made a motion to approve the request with Staff's Recommendations. Stan Humphrey seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor: Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed: None
Absent: None
Non-voting participant: Councilmember John Paul Listowski

The motion passed.

PLAT

23P-012 (Vacant Tracts Located East of Ohana, South of San Luis Pas Road/FM 3005, and west of 8 Mile Road) Request for a Final Plat to incorporate 39.79 acres of the subject tract as part of Beachside Village, Section 9, and extend Starfish and Beachside Drive. Properties are legally described as The Preserve at West Beach, Section 1 (2010), Abstract 121, East 39.79 Acres (0-0-0), in the City and County of Galveston, Texas.

Applicant: Kahala Development, LLC c/o Debbie Reinhart

Property Owner: Kahala Development, LLC

Staff presented the staff report and noted that of sixty-nine notices of public hearing sent, seven were returned in favor, and four were returned in opposition.

Chairperson David Finklea opened the public hearing on the case. Bruce Reinhart and others gave a presentation to the Commission.

The Commission recessed from 5:16 pm to 5:21 pm.

The public hearing was closed and the Chairperson called for a motion.

Rusty Walla made a motion to deny the request due to an incomplete plat that does not have easements shown or reserves specified as restricted or unrestricted. Steven Peña seconded. Rusty Walla withdrew the motion.

Jeffrey Hill made a motion to disapprove without prejudice noting that the plat needed to reflect the pipeline easements, including the description of reserves, sidewalks, and turnarounds designated along 8 mile. David Finklea seconded. Jeffrey Hill withdrew the motion.

David Finklea made a motion to disapprove without prejudice with the inclusion of two corrections: the description of all reserves and the inclusion of all known utility easements. Stan Humphrey seconded.

Jeffrey Hill left the dais at 6:12 pm.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor:	Edwards, Finklea, Humphrey, Lantz, Peña, Walla
Opposed:	None
Absent:	Hill
Non-voting participant:	Councilmember John Paul Listowski

The motion passed.

Councilmember John Paul Listowski left the meeting at 6:23 pm.

Jeffrey Hill returned to the dais at 6:23 pm.

TEXT AMENDMENT

23ZA-001 Request for a text amendment to the Galveston Land Development Regulations, Article 3, Urban Neighborhood (UN) Addendum to modify the list of “Corner Stores – Permitted Structures” in Kempner Park. Property is legally described as the M B Menard Survey, North Half of Lot 1 and Part of Lot 2 (2-1), Northwest Block 89, Galveston Outlots, in the City and County of Galveston, Texas.

Applicant: A. T. Davila

Property Owners: A. T. Davila and Chase Davila

Staff presented the staff report.

Chairperson David Finklea opened the public hearing on the case. The public hearing was closed and the Chairperson called for a motion.

Commissioner Rejone Edwards made a motion to recommend approval of the request with Staff’s Recommendations. Mary Jan Lantz seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor:	Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed:	None
Absent:	Councilmember John Paul Listowski
Non-voting participant:	None

The motion passed.

23ZA-002 Request for a text amendment to the Galveston Land Development Regulations, Article 2, Uses and Supplemental Standards to modify requirements for the “Public Utility Facility, Neighborhood” land use.

Applicant: Development Services Department

Staff presented the staff report.

Chairperson David Finklea opened the public hearing on the case. The public hearing was closed and the Chairperson called for a motion.

Commissioner Mary Jan Lantz made a motion to approve the request with Staff’s Recommendations. Stan Humphrey seconded. Mary Jan Lantz withdrew the motion.

Chairperson David Finklea made a motion to defer the case to March 21, 2023, to allow staff to present additional language. Stan Humphrey seconded.

The Chairperson called for questions or comments from the Commission. The following votes were cast:

In favor:	Edwards, Finklea, Hill, Humphrey, Lantz, Peña, Walla
Opposed:	None
Absent:	Councilmember John Paul Listowski
Non-voting participant:	None

The motion passed.

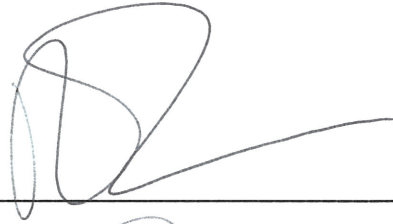
THE MEETING ADJOURNED AT 6:33 PM




PLANNING COMMISSION
COMMISSIONER SIGN-IN SHEET

MEETING DATE: March 7, 2023

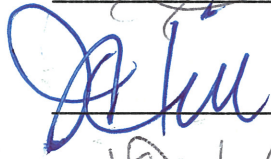
EDWARDS, REJONE



FINKLEA, DAVID



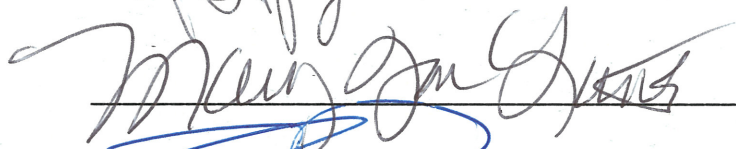
HILL, JEFFREY




HUMPHREY, STAN



LANTZ, MARY JAN



PEÑA, STEVEN



WALLA, RUSTY



LISTOWSKI, JOHN PAUL
EX-OFFICIO

