

THE MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD APRIL 17, 2008 - 4:00 P.M.

I. DECLARATION OF QUORUM AND CALL MEETING TO ORDER

- II. ROLL CALL: Present: Mayor Thomas, CM Pena, CM Puccetti, MPT Weber, CM Bolton-Legg, CM Roberts, CM Colbert
Staff: City Manager LeBlanc, City Attorney Green, City Secretary Lawrence

III. DECLARATION OF CONFLICT
None

IV. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS

- A. Consider for approval an Ordinance amending the Galveston Zoning Standards to create the Height and Density Development Zone and Regulations including, but not limited to design standards and design guidelines within the areas defined in the zone boundary map and referred to as "Seawall East," "Seawall Core A," "Seawall Core B," "Seawall West," "West of Seawall to 11-Mile Road," and "Gateway:" The Height and Density Development Zone will include properties generally located on the inland side of Seawall Boulevard with a varied northern boundary line, West of Beach Drive, and East of 11-Mile Road, and land generally located West of 59th Street, South of Broadway Boulevard to Offats and English Bayous, and East of Blume Drive, as identified on the Zone Boundary Map; to amend the Galveston Zoning Standards Section 29-23 "Zoning Districts Established;" Section 29-50 "Special Definitions and Explanations," and Section 29-51 "Use Regulations Definitions," to designate and incorporate regulations and definitions related to the Height and Density Development Zone; and to amend Section 29-66 "Height Regulations" to eliminate the requirement for a Specific Use Permit for the construction of "Mid-Rise Structures" and "High-Rise Structures" for all properties located within the proposed Height and Density Development Zone; Planning Case Number 08P-33.

ORDINANCE was read by caption: AMENDING THE GALVESTON ZONING STANDARDS 1991 TO CREATE THE HEIGHT AND DENSITY DEVELOPMENT ZONE AND REGULATIONS INCLUDING, BUT NOT LIMITED TO DESIGN STANDARDS AND DESIGN GUIDELINES WITHIN THE AREAS DEFINED IN THE ZONE BOUNDARY MAP AND REFERRED TO AS "SEAWALL EAST," "SEAWALL CORE A," "SEAWALL CORE B," "SEAWALL WEST," "WEST OF SEAWALL TO 11-MILE ROAD," AND "GATEWAY;" THE HEIGHT AND DENSITY DEVELOPMENT ZONE WILL INCLUDE PROPERTIES GENERALLY LOCATED ON THE INLAND SIDE OF SEAWALL BOULEVARD WITH A VARIED NORTHERN BOUNDARY LINE, WEST OF BEACH DRIVE, AND EAST OF 11-MILE ROAD, AND LAND GENERALLY LOCATED WEST OF 59TH STREET, SOUTH OF BROADWAY BOULEVARD TO OFFATS AND ENGLISH BAYOUS, AND EAST OF BLUME DRIVE, AS IDENTIFIED ON THE ZONE BOUNDARY MAP; TO AMEND THE

GALVESTON ZONING STANDARDS SECTION 19-23 "ZONING DISTRICTS ESTABLISHED," SECTION 29-50 "SPECIAL DEFINITIONS AND EXPLANATIONS," AND SECTION 29-51 "USE REGULATION DEFINITIONS;" TO DESIGNATE AND INCORPORATE REGULATIONS AND DEFINITIONS RELATED TO THE HEIGHT AND DENSITY DEVELOPMENT ZONE; AND TO AMEND SECTION 19-66 "HEIGHT REGULATIONS" TO ELIMINATE THE REQUIREMENT FOR A SPECIFIC USE PERMIT FOR THE CONSTRUCTION OF "MID-RISE STRUCTURES" AND "HIGH-RISE STRUCTURES" FOR ALL PROPERTIES LOCATED WITHIN THE PROPOSED HEIGHT AND DENSITY DEVELOPMENT ZONE; PLANNING CASE NUMBER 08P-33; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning and Community Services Wendy O'Donohoe gave an explanation of the proposed ordinance. She clarified changes made by the Planning Commission which were approved by a vote of 5 in favor and 2 in opposition. The Planning Commission voted approval with the following changes and conditions:

Approval of all of the consensus items in the revised version with the date of April 17, 2008 Council Workshop.

Voted to recommend the elimination of the Design Review Board to be replaced with the Planning Commission.

In the Gateway area, the transition zone from Offat's Bayou shall be limited to one story of 15 feet. Previously it was a two story 25 feet setback.

The midrise structure tier definition be modified to allow a 20 percent above the foot print or floor area above 90 feet not to exceed 120 feet. Currently the midrise tier limits structures to 105 feet.

Ms. O'Donohoe added there are three tiers of development: Low Rise, Mid Rise and High Rise. There is a minimum amount of property required to qualify for different tiers of development. Council has discussed possibly modifying the High Rise locations and also the total height of a High Rise.

There are also minimum setbacks. A transition area is also required if adjacent to a residential zone.

Standards also include recommendations for other things such as lighting, additional landscaping requirements and building orientation.

One of the goals is to raise the bar for development and establish something that is a minimum requirement for all development. The regulations are absolute standards. They are required.

The other element to this is the design guidelines which are new to Galveston for this area of the City.

The third item provided are the boundary maps.

Council discussed looking at the appropriateness of high rises being allowed in Seawall Core A, Seawall Core B, Seawall East and Seawall West; and possibly modifying the overall height permitted.

Ms. O'Donohoe stated the three items of the ordinance are the standards, the boundary maps and the guidelines.

Mayor Thomas opened the PUBLIC HEARING.

Fletcher Harris, spoke opposing high rise structures due to the negative impact on traffic.

Marvin Rader, Attorney representing property owners (Hunnicutts) in the Seawall West Zone. He stated regulation was important but had to be done based on economic impact on all concerned.

Steve Greenberg, 4800 Seawall, commended Ms. O'Donohoe and the Planning Dept. for their work and spoke in support of the Winter Group recommendation. He ask members of the tourist industry that were in the audience to stand.

Ted O'Rourke, 1123 Church, stated the City needs development. He spoke in favor of high rise structures on the Seawall.

Darryl Stewart, International Brotherhood of Electrical Workers, stated the City needs development.

Paulie Gaido, Gaido's Restaurant, 3900 Seawall, spoke in support of high rise development on the Seawall.

Ralph McMorris, 1202 Postoffice, stated development is a positive thing but neighborhoods have a problem with uncontrolled development.

Normal Pappous, 22 Cedar Lawn, commended Ms. O'Donohoe and the Planning staff. He spoke opposing high rise development. He asked Council to listen to public opinion.

Elizabeth Beeton, 1416 Ball, stated her concerns and opposition to high rise development. She also said she was concerned about the review process.

Susan Fennewald, 3408 Ave. R ½, said she had concerns about high rise development and is opposed. She is also concerned about the community benefits bonuses.

Greg Harrington, President, Galveston Chamber of Commerce; spoke in support of high rise development.

Willy Gonzales, Thanked Ms. O'Donohoe, Planning staff and Council for their work on the height and density plan.

Linda Strevell, President of GAIN, said the proposed height and density plan would adversely effect the neighborhoods. She requested Council to take an additional 30 days past April 24 to consider the plan.

Benny Davis, 56 LeBrun Court, said he was opposed to restricting abandonment of streets and concerned about building perpendicular to the Seawall. He also stated design standards are as important as height.

Dwayne Jones, Executive Director, Galveston Historical Founcation, said he was pleased to see the quality of the work in the height and density plan. GHF's Board voted not to support high rises between 6th St. And 61st St.

Marty Mitchell, said that retrofitting and revitalizing neighborhoods also employs construction workers. She is opposed to high rise development.

Karen Mahoney, Indian Beach, stated development of guidelines and standards is a good thing. She said the plan is incongruent with the citizen input which says they want a maximum of six stories. She is also concerned about the appeal process.

Brenda Lee, 2202 Ave. P, asked about the public notice process. She thanked Ms. O'Donohoe, staff and Council for their work on this issue. She asked that public input be provided for in the process.

Carlos Oriano, Galveston Institute, said it needs to be determined what the maximum work force will need to be. What will be the cost to the City?

There being no one else to speak, the Public Hearing was closed.

CM Roberts left the meeting at this time. (5:20 p.m.)

**Motion to defer by to April 24, 2008 by CM Bolton-Legg. Second by CM Pena.
Unanimously approved by those present. CM Roberts absent. CM Colbert absent.**

- B. Consider for approval an Ordinance amending the Galveston Zoning Standards, Section 29-67 Vehicle Parking Regulations to change the off-street parking requirements for residential use (Subsection (B)); and to change the minimum landscape requirements (Subsection (G)); Planning Case Number 08P-34.

ORDINANCE was read by caption: AMENDING THE GALVESTON ZONING STANDARDS, SECTION 29-67 "VEHICLE PARKING REGULATIONS" TO CHANGE THE OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USE (SUBSECTION (B)); AND TO CHANGE MINIMUM LANDSCAPE REQUIREMENTS (SUBSECTION (G)); PLANNING CASE NUMBER 08P-34; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

**Motion to defer to April 24, 2008, by CM Bolton-Legg. Second by MPT Weber.
Unanimously approved by those present. CM Roberts and CM Colbert absent.**

- C. Consider for approval an Ordinance amending the Galveston Zoning Standards , Section 29-88: "Site Plan Approval", regarding development submittal requirements and review processes; Planning Case Number 08P-35.

ORDINANCE was read by caption: AMENDING THE GALVESTON ZONING STANDARDS, SECTION 29-88: "SITE PLAN APPROVAL," REGARDING DEVELOPMENT SUBMITTAL REQUIREMENTS AND REVIEW PROCESSES; PLANNING CASE NUMBER 08P-35; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Mayor Thomas opened the PUBLIC HEARING. There being no to speak, the Public Hearing was closed.

**Motion to defer to April 24, 2008, by MPT Weber. Second by CM Bolton-Legg.
Unanimously approved by those present. CM Roberts and CM Colbert absent.**

- D. Consider for approval an Ordinance amending the Galveston Zoning Standards, Section 29-116 "Property Abandonment Notification: and Section 29-117 "Notification and Hearing Process," regarding public notice requirements; Planning Case Number 08P-36.

ORDINANCE was read by caption: AMENDING THE GALVESTON ZONING STANDARDS SECTION 29-116 "PROPERTY ABANDONMENT NOTIFICATION" AND SECTION 29-117 "NOTIFICATION AND HEARING PROCESS" REGARDING PUBLIC NOTICE REQUIREMENTS; PLANNING CASE NUMBER 08P-36; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

Mayor Thomas opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

**Motion to defer to April 24, 2008 by MPT Weber. Second by CM Bolton-Legg.
Unanimously approved by those present. CM Roberts and CM Colbert absent.**

Mayor Thomas stated there will be a Public Hearing at 4:00 p.m. on April 24, 2008 at the Regular Council Meeting. Workshop will begin at 10:00 a.m.

Ms. O'Donohoe said on Monday, April 21, 2008 from 4:00 p.m. to 6:00 p.m. in Room 204 Planning staff will be available to answer any questions regarding height and density.

Mayor Thomas thanked staff and Winter Associates, as well as the public, for their input.

V. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 5:30 p.m.