

**NOTICE OF MEETING
PLANNING COMMISSION
OF THE CITY OF GALVESTON
TUESDAY, AUGUST 19, 2025 - 3:30 PM
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas
REGULAR MEETING**

**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. Approval of Minutes

4.A August 5, 2025 – Regular Meeting

5. 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)
6. New Business and Associated Public Hearings

6.A BEACHFRONT CONSTRUCTION/DUNE PROTECTION PERMITS

1. **23P-054 (21204 Gulf Drive)** Request for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a single-family dwelling with an elevated wooden deck beneath the structure and a gravel driveway. Property is legally described as Abstract 121, Page 19 12, Lot 40, Sea Isle, Section 22, a subdivision in the City and County of Galveston, Texas.
Applicant: Annie S. Basu
Property Owner: Annie S. Basu

6.B LICENSE TO USE

2. **25P-032 (Adjacent to 4115 Avenue O)** Request for a Permanent License to Use to encroach a street right-of-way with a pedestrian skybridge. Adjacent property is legally described as Abstract 628 M.B. Menard Survey (0-1) Northwest, Northeast, Southwest, and Southeast Blocks 58 Galveston Outlots and Part of Adjacent Avenue O 1/2, in the City and County of Galveston, Texas.
Adjacent Property Owner: Galveston ISD
Applicant: James Grant, Galveston ISD
Easement Holder: City of Galveston

6.C PLANNED UNIT DEVELOPMENT

3. **25P-030 (10302 Seawall Boulevard)** Request for a Planned Unit Development (PUD) Overlay District for a mixed-use development. Property is legally described as Hall and Jones Survey, Part of Lots 344, 345, 360, 361, and 362 (344-1), Trimble & Lindsey, Section 1, in the City and County of Galveston, Texas.
Applicant: Steven L. Biegel, AIA
Property Owner: Mohamed Eldawy, Royal Crown Enterprise LLC
4. **25P-034 (5703 Stewart Road)** Request for a Planned Unit Development (PUD) Overlay District for an "Auto Service Station" development. Property is legally described as Hall and Jones Survey, Lot 5, Part of Lots 2, 3, 4 and Adjacent North 1/2 of Alley (5-0), Block 1, Johnston Addition, in the City and County of Galveston, Texas.
Applicant: Michael Gaertner, Sr., Architect
Property Owner: Albert Khajianpour

6.D PLATS

5. **25P-029 (Adjacent to 0 Seabird Drive)** Request for a replat to vacate a previously established subdivision. Properties are legally described as Abstract 121 Hall & Jones Survey Lots 1-19 Elisabeth Estates Section 2 and Abstract 121 Hall & Jones Survey Private Streets (0-1) Elisabeth Estates Section 2, in the City and County of Galveston, Texas.
Applicant: Jordan Alcocer, Tricon Land Surveying, LLC.
Property Owners: KSL Development, LLC.

7. Discussion Items
2025 Planning Commission Planning and Design Awards (Staff)
8. 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 08/14/2025 at 04:00 PM

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, TEXAS 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 – August 5, 2025

CALL MEETING TO ORDER

The meeting was called to order at 3:38 p.m. The meeting start time was delayed due to technical issues.

ATTENDANCE

Members Present: Stan Humphrey, Mary Jan Lantz, John Lightfoot, Anthony Rios, Tom Singleton, Rusty Walla, Ex-Officio CM Beau Rawlins

Members Absent: Rejone Edwards

Staff Present: Tim Tietjens, Executive Director of Development Services; Teresa Evans, Special Assistant to Executive Director of Development Services; Catherine Gorman, AICP, Assistant Director/HPO; Daniel Lunsford, Planning Manager; Kyle Clark, Coastal Resources Manager; Mehran Jadidi, Assistant City Attorney; Trevor Fanning, Assistant City Attorney; Chris Harrison, Fire Marshal; Karina Rosales, Planning Technician

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The July 22, 2025, regular meeting and workshop minutes were accepted as presented.

PUBLIC COMMENT

None

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

BEACHFRONT CONSTRUCTION/DUNE PROTECTION PERMITS

25BF-036 (12716 Bermuda Beach Drive) Request for exemption and approval for Beachfront Construction Certificate and Dune Protection Permit to include proposed construction of a single-family dwelling with a crushed rock driveway apron. Property is legally described as Abstract 121 Hall & Jones Survey, Lot 15, Bermuda Beach Section 5, a subdivision in the City and County of Galveston, Texas.

Applicant: Anthony Torusoglu

Property Owner: Anthony Torusoglu

Staff presented the staff report.

Chairperson Walla opened the public hearing on the case. The applicant and property owner, Anthony Torusoglu, gave a presentation to the commission via video conference. See attached list for presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Commissioner Rios made a motion to approve the request with Staff's Recommendations.

Commissioner Humphrey seconded.

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

In favor:	Humphrey, Rios
Opposed:	Lantz, Singleton
Absent:	Edwards
Abstained:	Lightfoot, Walla
Non-voting participant:	Councilmember Beau Rawlins

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

***** Commissioner Rios steps away at 4:10pm and returns at 4:12pm.**

GALVESTON LANDMARK

25P-025 (2928 Avenue K) Request for designation as a Galveston Landmark. The property is legally described as M.B. Menard Survey, Portion of Lot 14 (14-2), Block 149, in the City and County of Galveston, Texas.

Applicant: Harper and Michelle Jones

Property Owner: Harper and Michelle Jones

Staff presented the staff report and noted that 33 public hearing notices were sent, and one returned in favor.

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

Vice-Chairperson Lantz made a motion to recommend approval of the request with Staff's Recommendations.

Chairperson Walla seconded.

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

In favor:	Humphrey, Lantz, Lightfoot, Rios, Singleton, Walla
Opposed:	None
Absent:	Edwards
Non-voting participant:	Councilmember Beau Rawlins

The motion passed.

PLANNED UNIT DEVELOPMENT

25P-028 (4702 Winnie / Avenue G) Request for a Planned Unit Development (PUD) Overlay District for a "Parking Lot, Commercial Surface Parking Area". Property is legally described as M.B. Menard Survey (0-0), Blocks 406 & 407 and Adjacent Street, in the City and County of Galveston, Texas.

Applicant: Michael Gaertner, Sr., Architect

Property Owner: Gary Patterson, PMM Holdings, Inc.

Staff presented the staff report and noted that eight public hearing notices were sent, and none returned.

Chairperson Walla opened the public hearing on the case. The applicant, Michael Gaertner, gave a presentation to the commission. See the attached list of presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Chairperson Walla made a motion to recommend approval of the request with Staff's Recommendations.

Commissioner Lightfoot seconded.

Chairperson Walla made a motion to amend his main motion to recommend approval of the request with Staff's Recommendations including a condition that the applicant provide landscaping on the right of way of Ave G/ Winnie from 46th to 48th St.

Commissioner Rios seconded.

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

In favor:	Humphrey, Lantz, Lightfoot, Rios, Walla
Opposed:	Singleton
Absent:	Edwards
Non-voting participant:	Councilmember Beau Rawlins

The motion passed.

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

In favor:	Humphrey, Lantz, Lightfoot, Rios, Walla
Opposed:	Singleton
Absent:	Edwards
Non-voting participant:	Councilmember Beau Rawlins

The motion passed.

TEXT AMENDMENT

25ZA-005 Request for a text amendment to the Galveston Land Development Regulations, Article 2, Uses and Supplemental Standards for the Vending Kiosk/ATM land use (LDR 2.373).
Applicant: Alecs Young, Galveston Fund 1, LLC.

Staff presented the staff report.

Chairperson Walla opened the public hearing on the case. The applicant, Alecs Young, gave a presentation to the commission. The public hearing was closed, and the Chairperson called for a motion.

Vice-Chairperson Lantz made a motion to recommend approval of the request.

Commissioner Humphrey seconded.

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

In favor:	Humphrey, Lantz, Lightfoot, Rios, Singleton, Walla
Opposed:	None
Absent:	Edwards
Non-voting participant:	Councilmember Beau Rawlins

The motion passed.

THE MEETING ADJOURNED AT 5:23 PM



23P-054

STAFF REPORT

ADDRESS:

21204 GULF DR GALVESTON, TX
77554

LEGAL DESCRIPTION:

The property is legally described as Abstract 121, Page 19 12, Lot 40, Sea Isle, Section 22, a subdivision in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Annie S. Basu

PROPERTY OWNER:

Annie S. Basu

REQUEST:

Beachfront Construction Certificate/Dune Protection Permit in order to construct a single-family dwelling with an elevated wooden deck beneath the structure and a gravel driveway.

APPLICABLE LAND USE

REGULATIONS:

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

STAFF RECOMMENDATION:

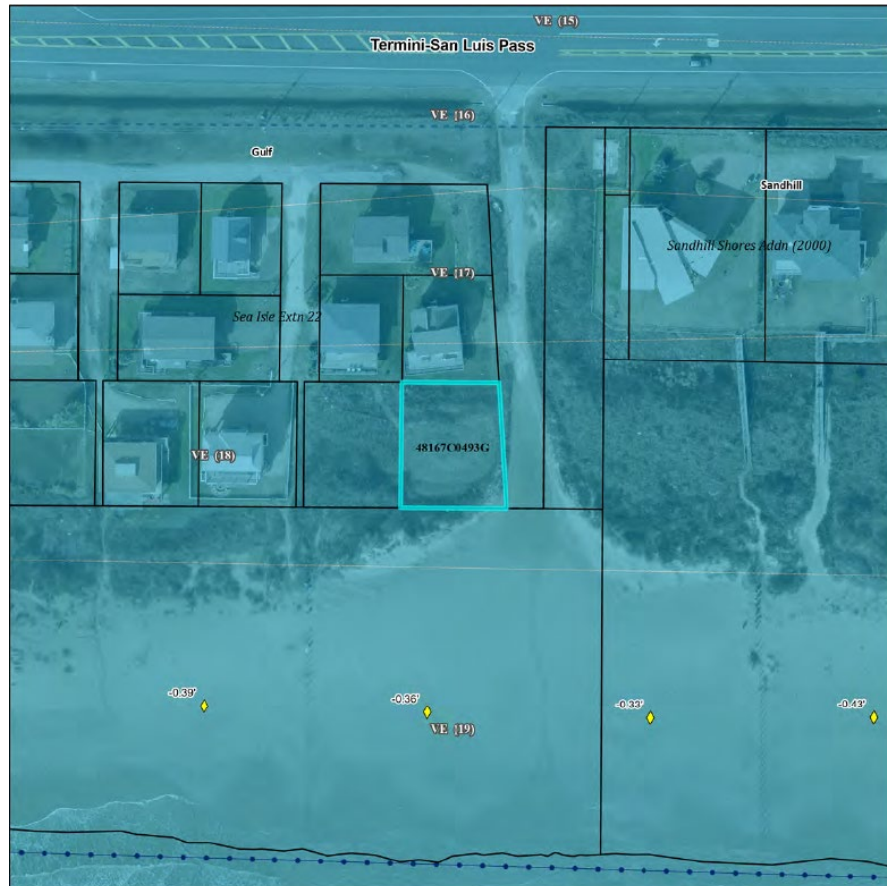
Approval with Conditions

EXHIBITS:

- A – Aerial Map
- B – Topographic Survey
- C – Site Plan & Drawings
- D – Site Photos
- E – GLO Comment Letter

STAFF:

Kyle Clark
Coastal Resources Manager
KClark@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.

Background:

This project was previously brought to Planning Commission under the same case number 23P-054. The case requested approval and exemption to construct a single-family dwelling that partially was within and over the Dune Conservation Area (DCA). The case failed due to encroachment into the DCA. The Commission's guidance to the applicant/owner was to reduce or move the home north of the DCA. The owner/applicant has since updated their plans to reduce the structure north and out of the DCA and no longer requesting an exemption for the proposed work.

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 feet 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.

Continued:

The applicant is requesting approval to construct a single-family dwelling with an elevated wooden deck beneath the structure and a gravel driveway Proposed construction of the single-family dwelling landward of 25 feet from the North Toe of the Critical Dune Area and roughly 56 feet from the Line of Vegetation. This is landward of the Dune Protection Line and within the Planning Commission review area. According to the application materials, the proposed construction activities are landward of dunes and dune vegetation. Therefore, mitigation activities are not proposed.

Site and Surrounding Area:

The subject site is located in the Sea Isle Subdivision. Single-family dwellings are located to the North and West; a beach and dune system are located to the South of the subject property. According to the Bureau of Economic Geology, this area is stable.

Analysis:

The table below summarizes the applicant survey and site plan (Attachments B and C). The attachments indicate the proposed new construction and the location of proposed construction in relation to on-site conditions:

Proposed Structure's Distance from:	Distance (Feet)
...North Toe of the Dune	25
...the Line of Vegetation	56

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 Beachfront Construction Certificate and Dune Protection Permit standards.

- ☒ The proposed activity is not a prohibited activity as defined in these standards.
- ☒ 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.
- ☒ 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 applicant's mitigation plan, for an activity seaward of the Dune Protection Line, which is not required, will adequately minimize, rectify, and/or compensate for any unavoidable adverse effects.
- ☒ 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 structure is located as far landward as practicable.

Staff Recommendation:

Staff recommends approval of 23P-054 with the following conditions:

Conditions for Case 23P-054:

1. The applicant must adhere to all aspects of Chapter 29: Planning-Beach Access Dune Protection & Beachfront Construction of the City of Galveston Code of Ordinances.

2. The applicant must adhere to all aspects of the Texas Administrative Code Title 31. Natural Resources and Conservation, Part 1. General Land Office, Chapter §15. Coastal Area Planning, including but not limited to those outlined in the GLO Comment Letter associated with this Beachfront Construction Certificate and Dune Protection Permit.
3. The construction activities must minimize impacts on natural hydrology and must not cause erosion of adjacent properties. The applicant shall direct all stormwater inland away from the critical dune area, public beach, and adjacent properties.
4. Where applicable, the proposed construction must be consistent with FEMA minimum requirements or with the FEMA approved local ordinance.

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,



Kyle Clark
Coastal Resources Manager

8/12/2025



Catherine Gorman, AICP
Assistant Planning Director / HPO

08/12/2025
Date

A – Aerial Map

**21204 Gulf Drive
Case #23P-054**

**BEG and FIRM Coastal Map
Legend**

**BEG Shoreline Change Rates
1950s-2019 - End Point Rate (ft/yr)**

- ▲ Eroding (-1ft or more)
- ◆ Stable (-1ft to 1 ft)
- ▼ Accreting (+1ft or more)
- FIRM Panels
- 0.2% Annual Chance
- Zone A
- Zone AE, Zone AO
- Zone VE
- Zone X
- Open Water
- Subdivisions
- 1000ft from MHT
- Lot Lines
- Parcels



0 5 10 20 30 40 50 60 70 80 90 Feet

1:972

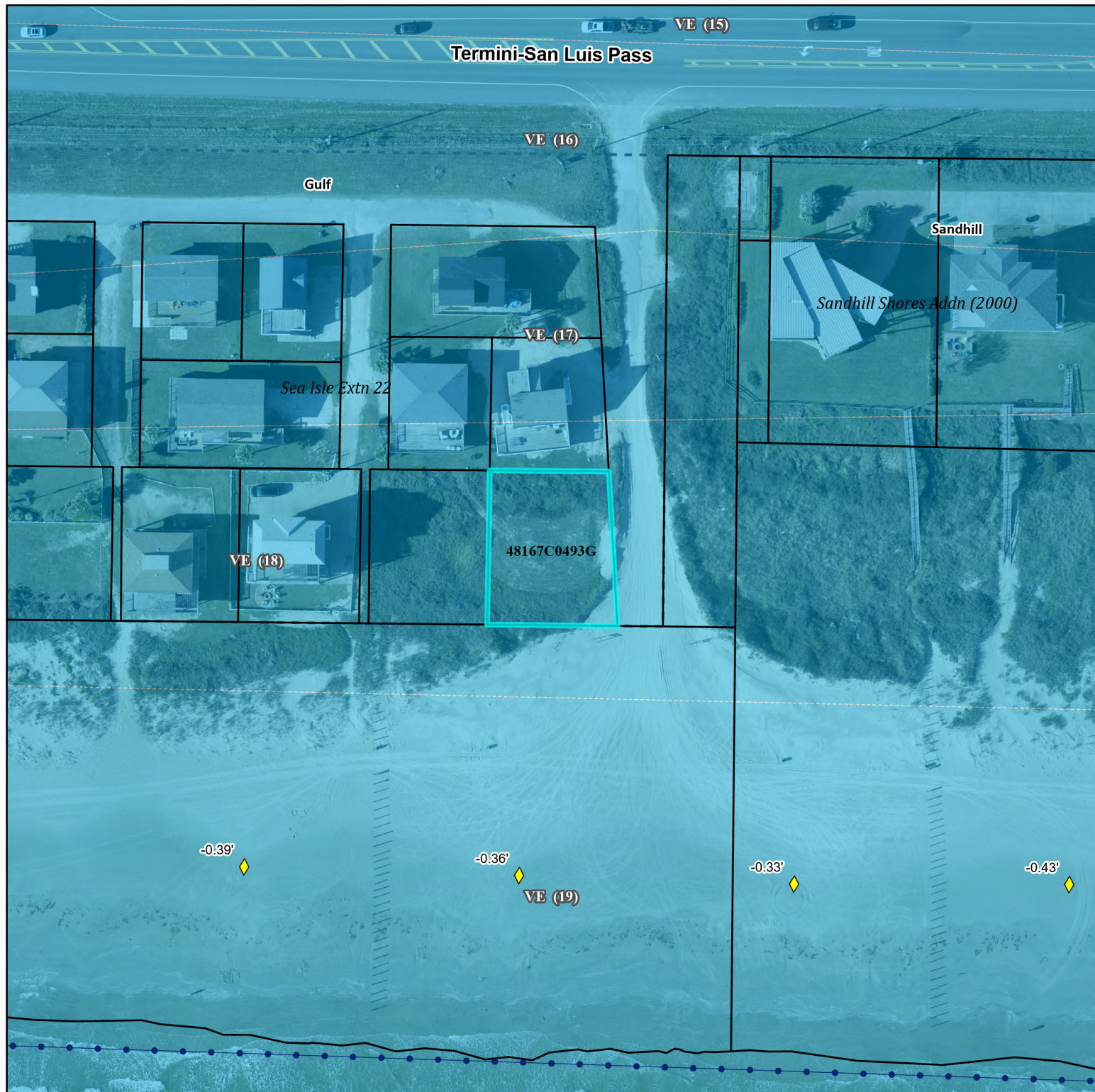
Data Sources:

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, Coastal Resources Division
(HCummings) - 7/24/2025**

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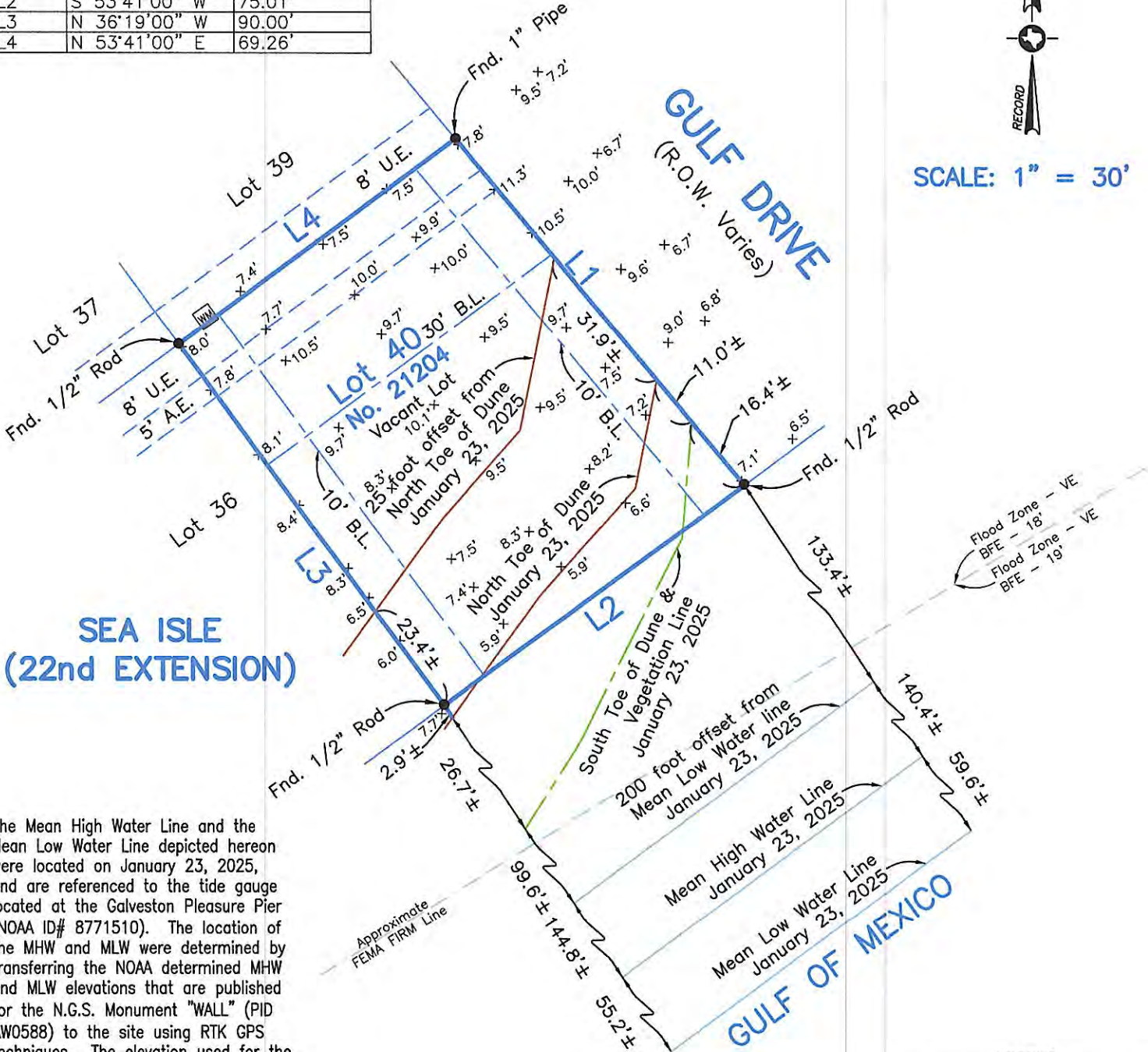


B – Topographic Surveys

LINE	BEARING	DISTANCE
L1	S 39°58'18" E	90.18'
L2	S 53°41'00" W	75.01'
L3	N 36°19'00" W	90.00'
L4	N 53°41'00" E	69.26'



SCALE: 1" = 30'



The Mean High Water Line and the Mean Low Water Line depicted hereon were located on January 23, 2025, and are referenced to the tide gauge located at the Galveston Pleasure Pier (NOAA ID# 8771510). The location of the MHW and MLW were determined by transferring the NOAA determined MHW and MLW elevations that are published for the N.G.S. Monument "WALL" (PID AW0588) to the site using RTK GPS techniques. The elevation used for the N.G.S. Monument "WALL" is 14.11 feet, the elevation used for the Mean High Water is 1.17 feet, and the elevation used for Mean Low Water is -0.30 feet.

LEGEND

B.L. Building Setback Line

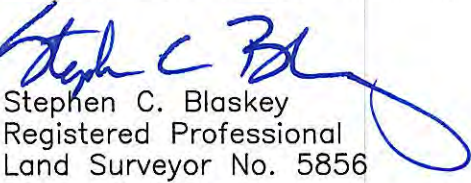
U.E. Utility Easement

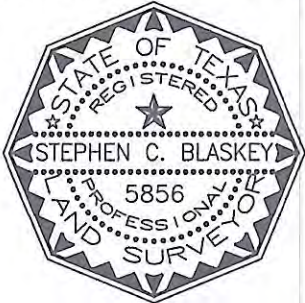
A.E. Overhead Aerial Easement

Water Meter

Survey of Lot Forty (40), of SEA ISLE, Section Twenty-two (22), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 1616, Page 172, of the Map Records in the Office of the County Clerk 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.


Stephen C. Blaskey
Registered Professional
Land Surveyor No. 5856



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

SURVEY DATE:	JANUARY 23, 2025
FILE No.:	6393-0000-0040-000
DRAFTING:	AM
JOB No.:	25-0034

- NOTES:
- 1) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
 - 2) This property is subject to any restrictions of record as established by the City, Plat, or Subdivision Covenants and Restrictions; may also be subject to easements and setbacks for utility services and power lines as individually recorded or established by OSHA (call your power company).
 - 3) Bearings based on Monumentation, being a found 3/8" rod at the SE corner of Lot 2 and a found 5/8" rod at the SW corner of Lot 12.
 - 4) Deed references shown hereon are not a statement of ownership.
 - 5) Elevations are shown in feet above Mean Sea Level NAVD '88 Datum as tied to NGS Monument HGCSO 62.
 - 6) Surveyed without benefit of a Title Report.

C – Site Plans and Drawings

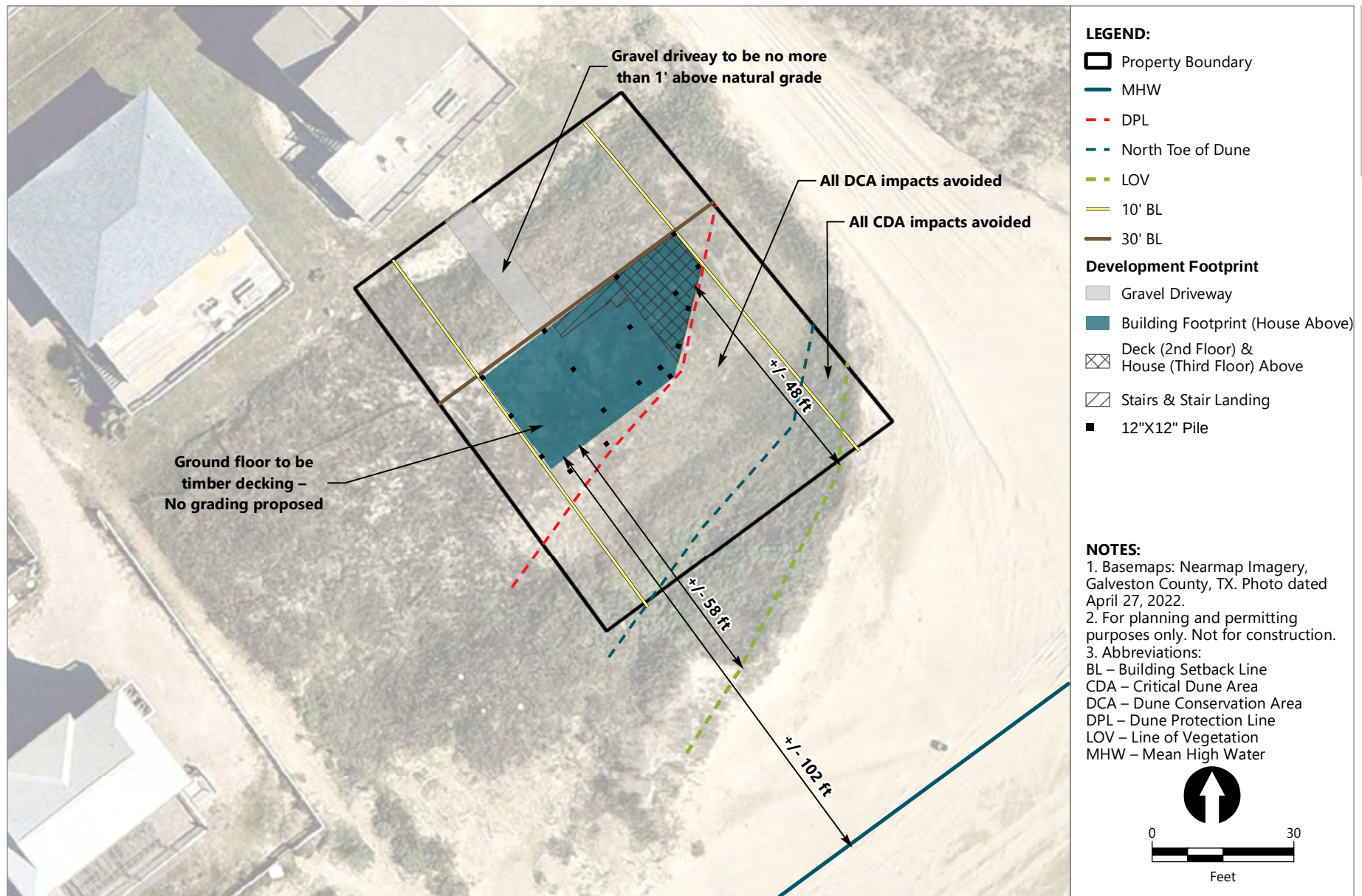
 $1/2''=1'$

7/23/2025

DRAWINGS PROVIDED BY:
TSI SERVICES LLC
STRUCTURAL / CIVIL / DESIGN
REG NUM. F-13383
409-276-5838

21204 GULF DR
GALVESTON, TX

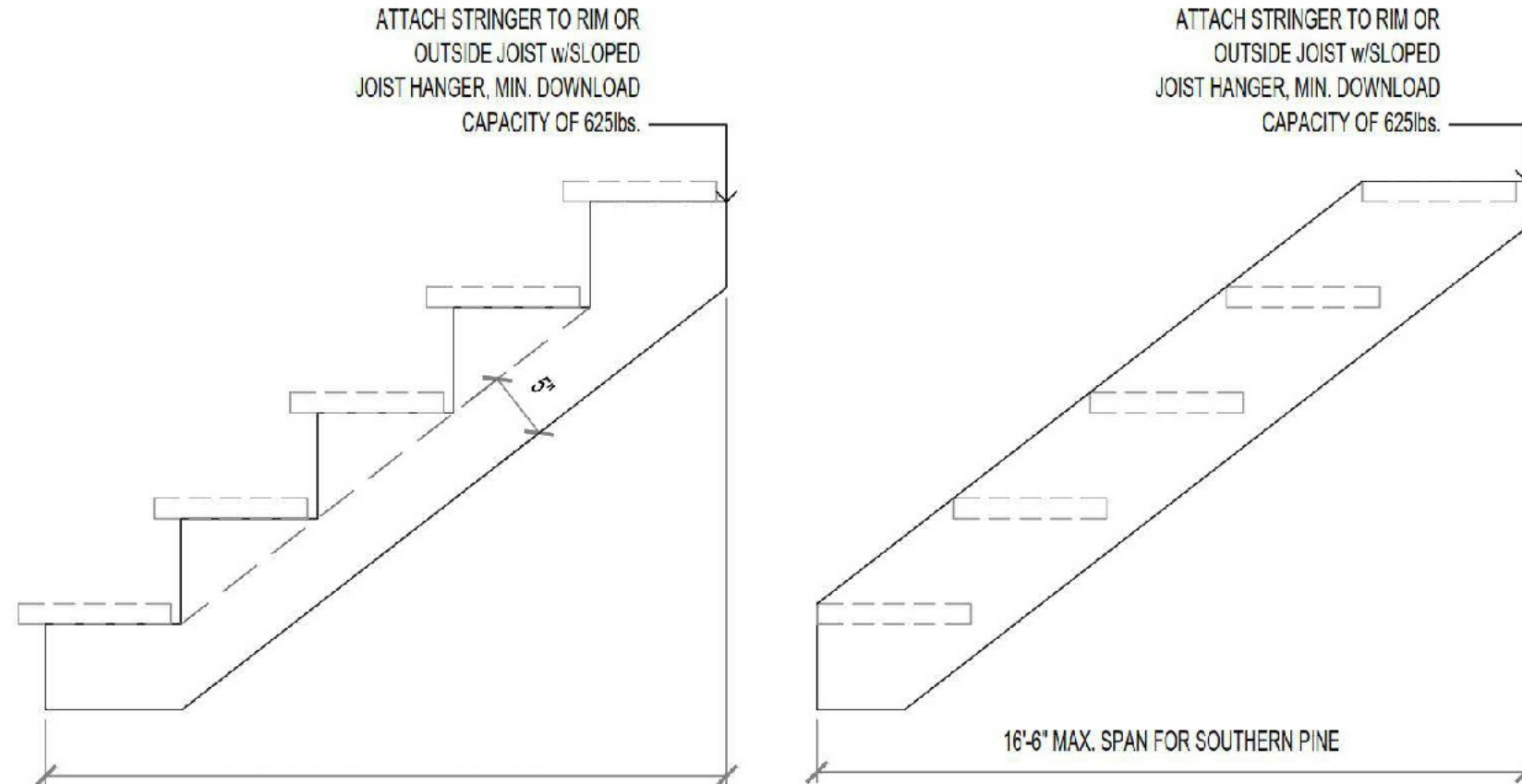
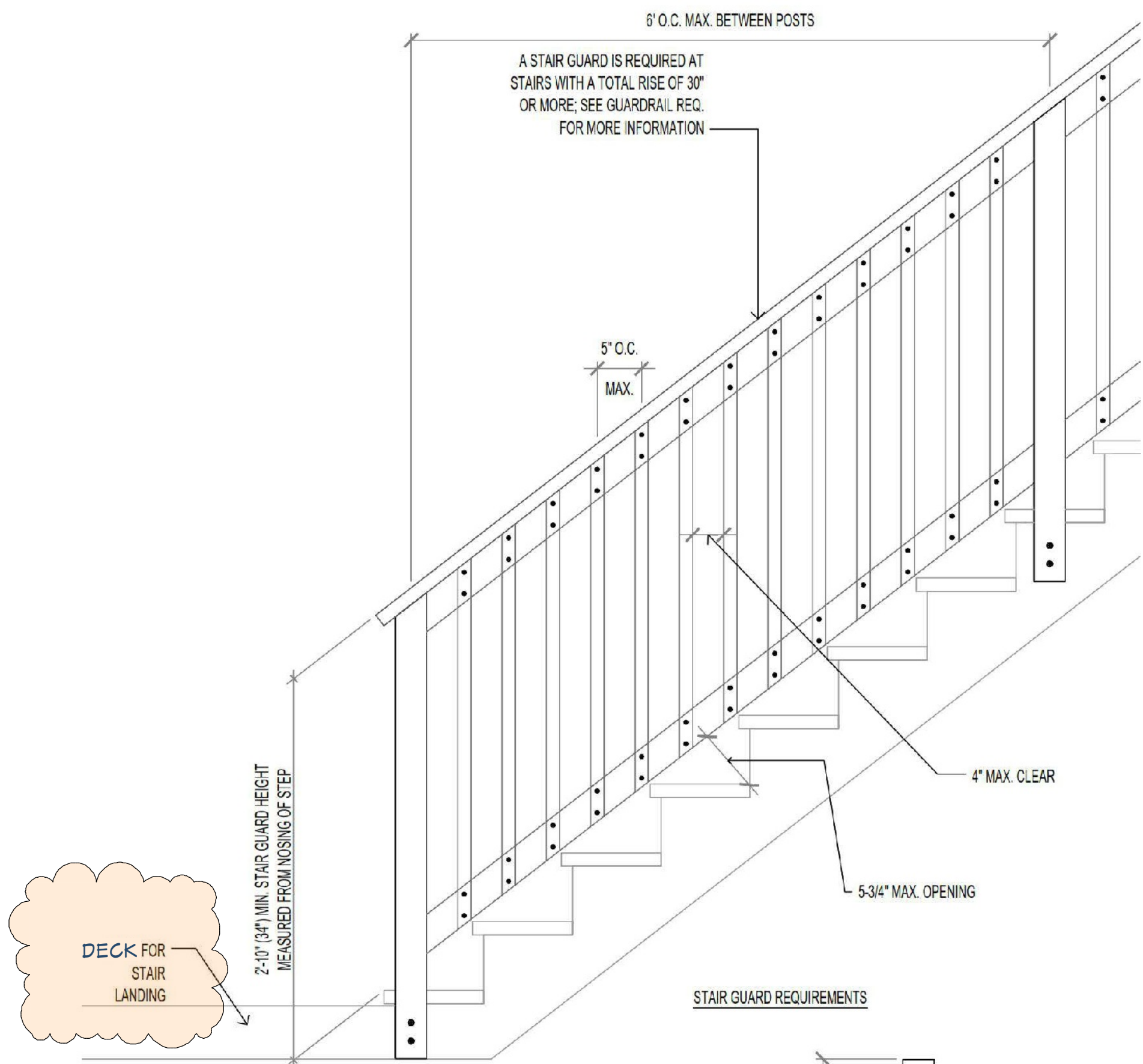




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Figure 4
Project Plan View Map (Top-Down View)
 Beachfront Construction Certificate/Dune Protection Permit Application
 Annie Basu - 21204 Gulf Drive



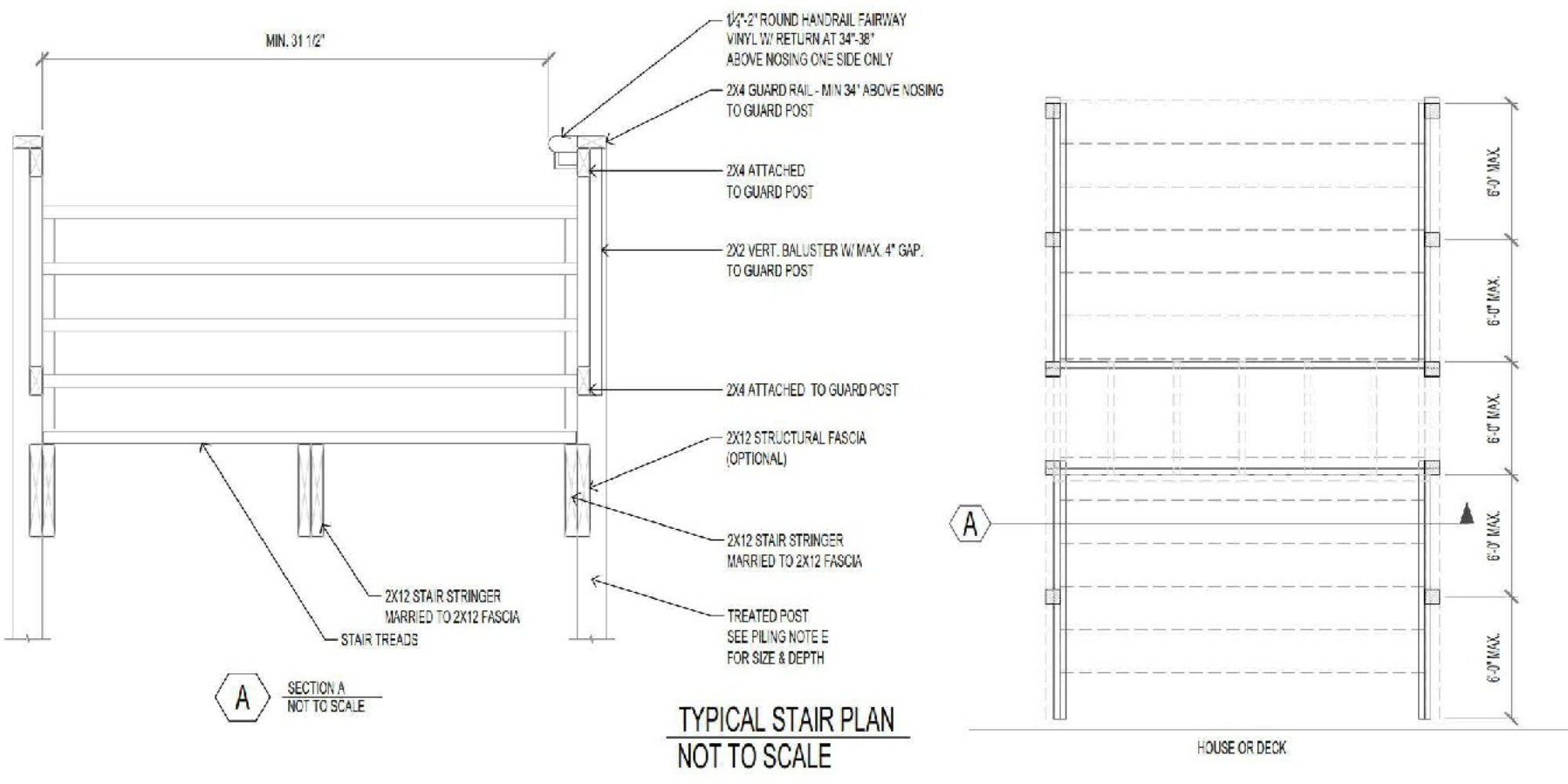
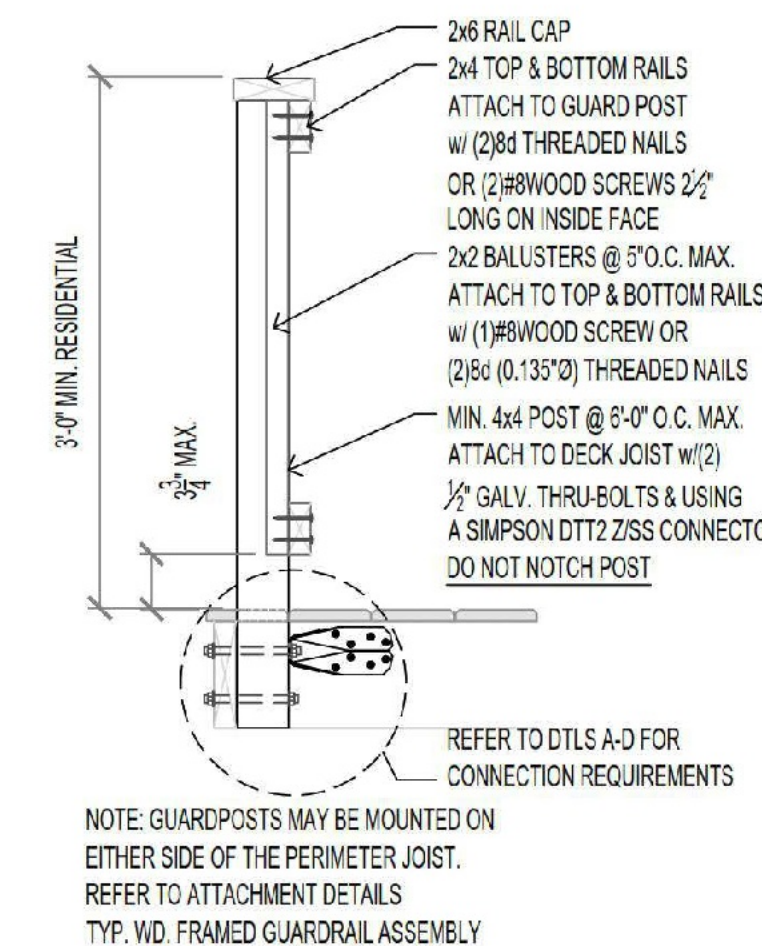
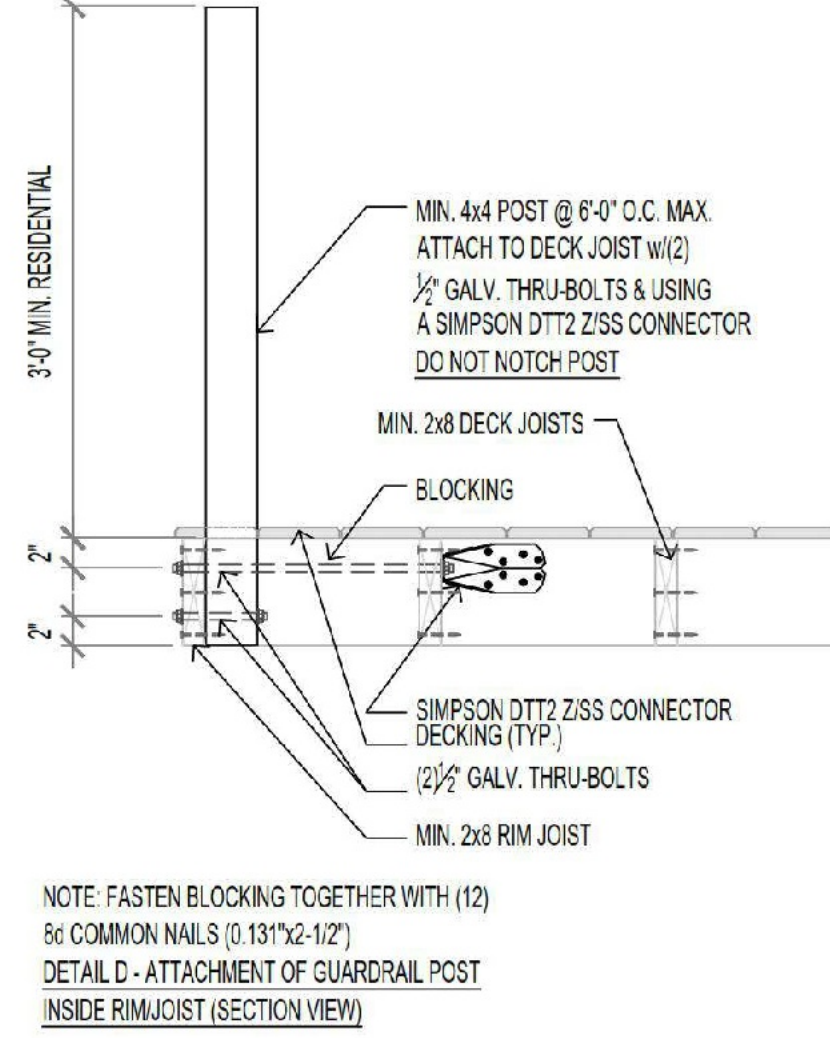
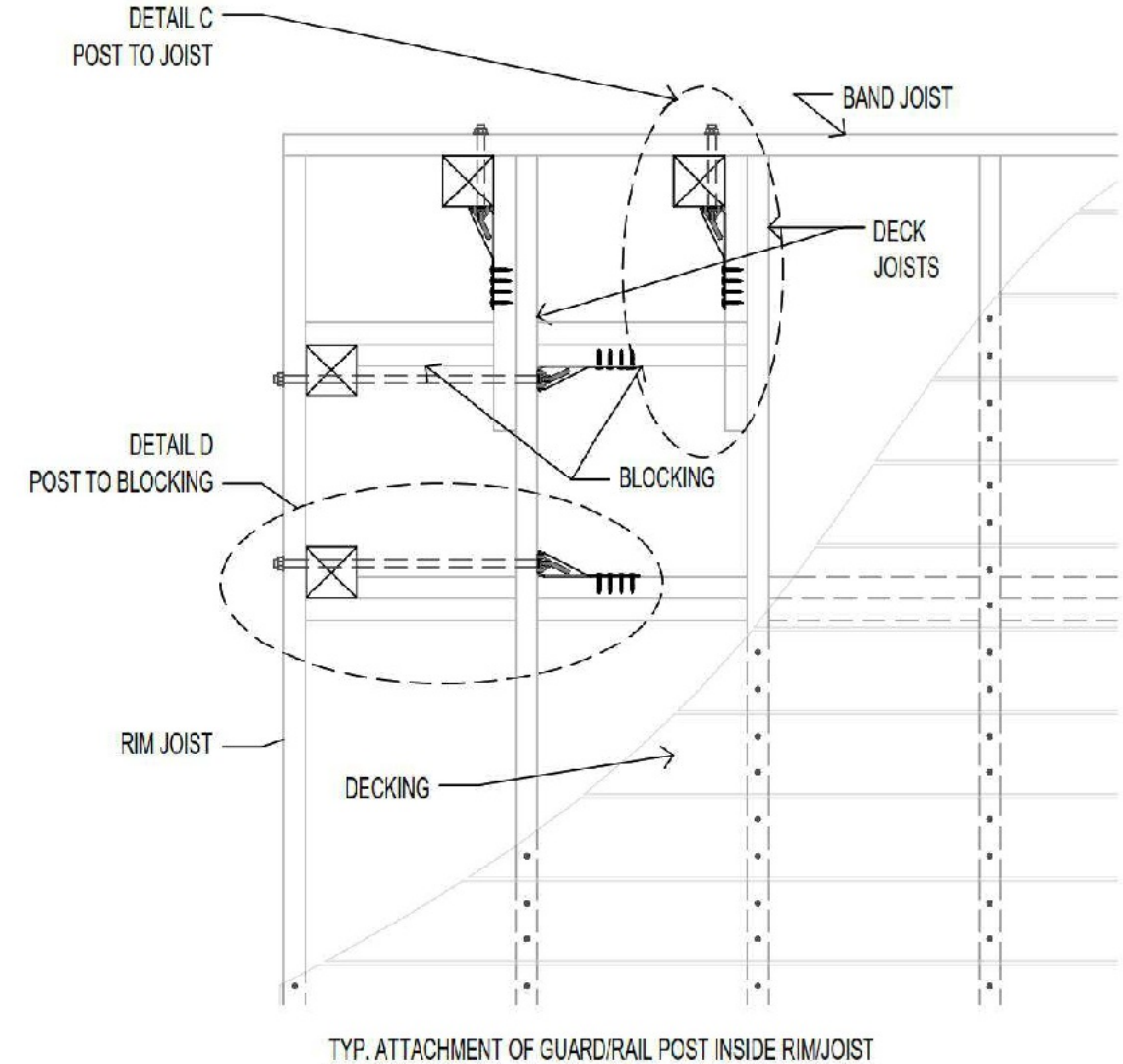
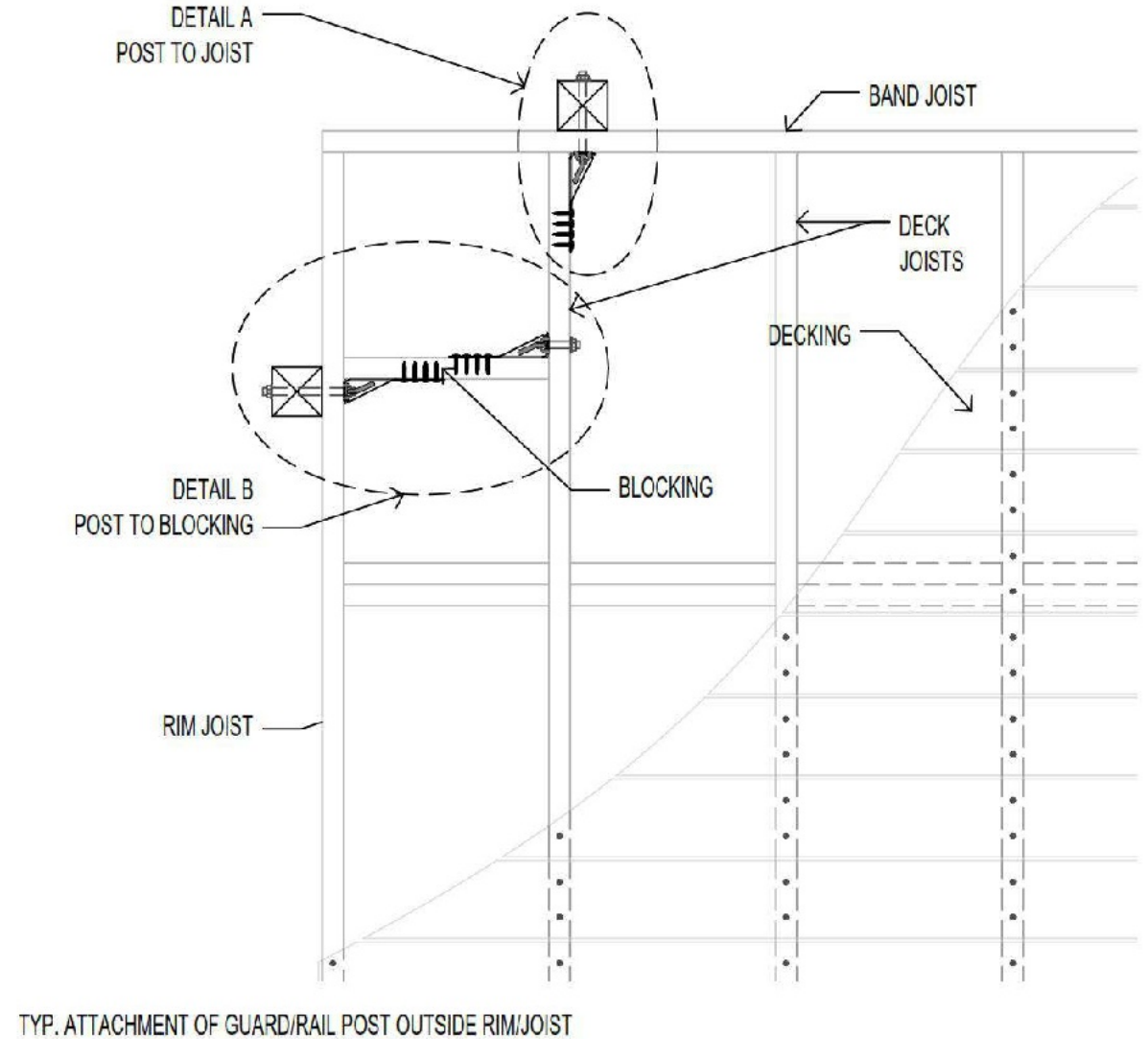
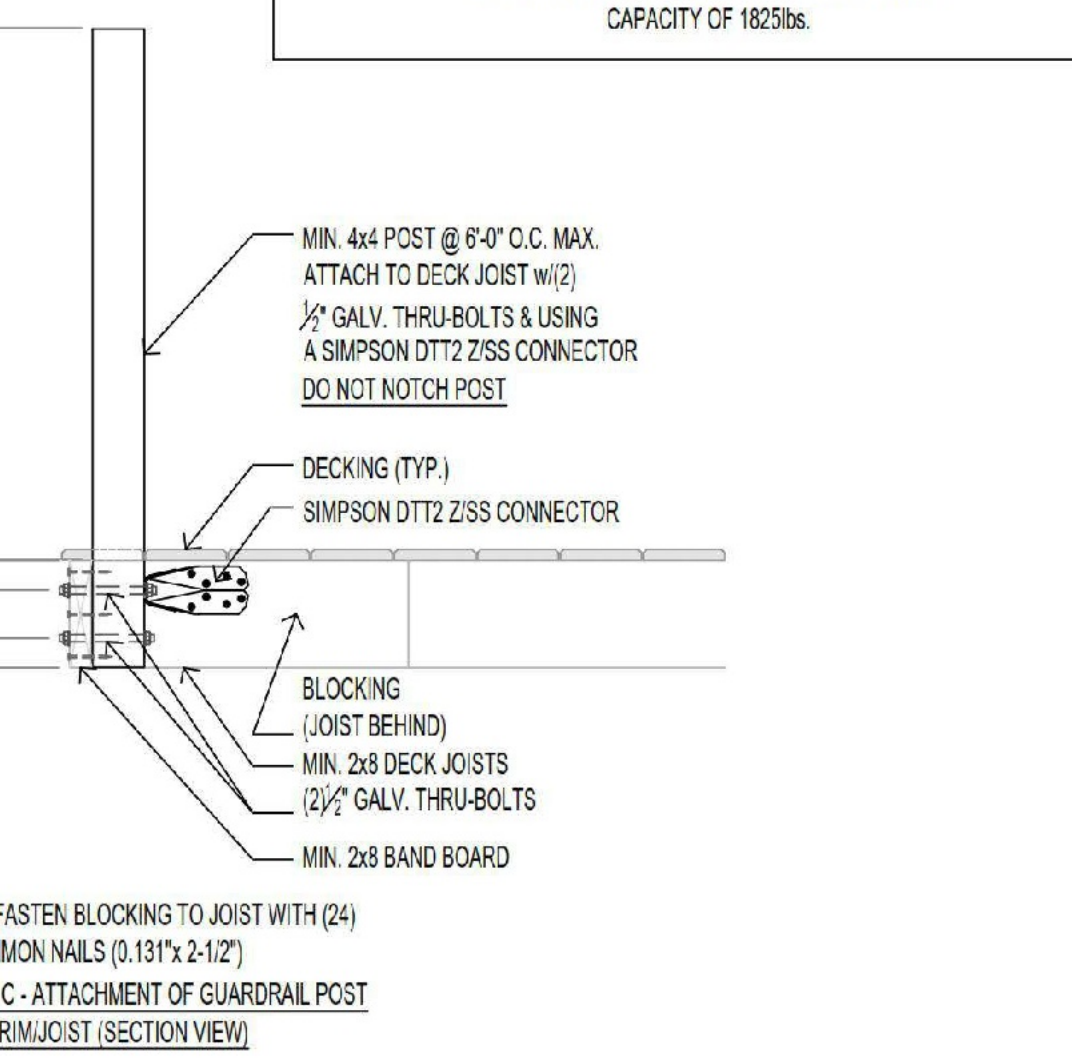
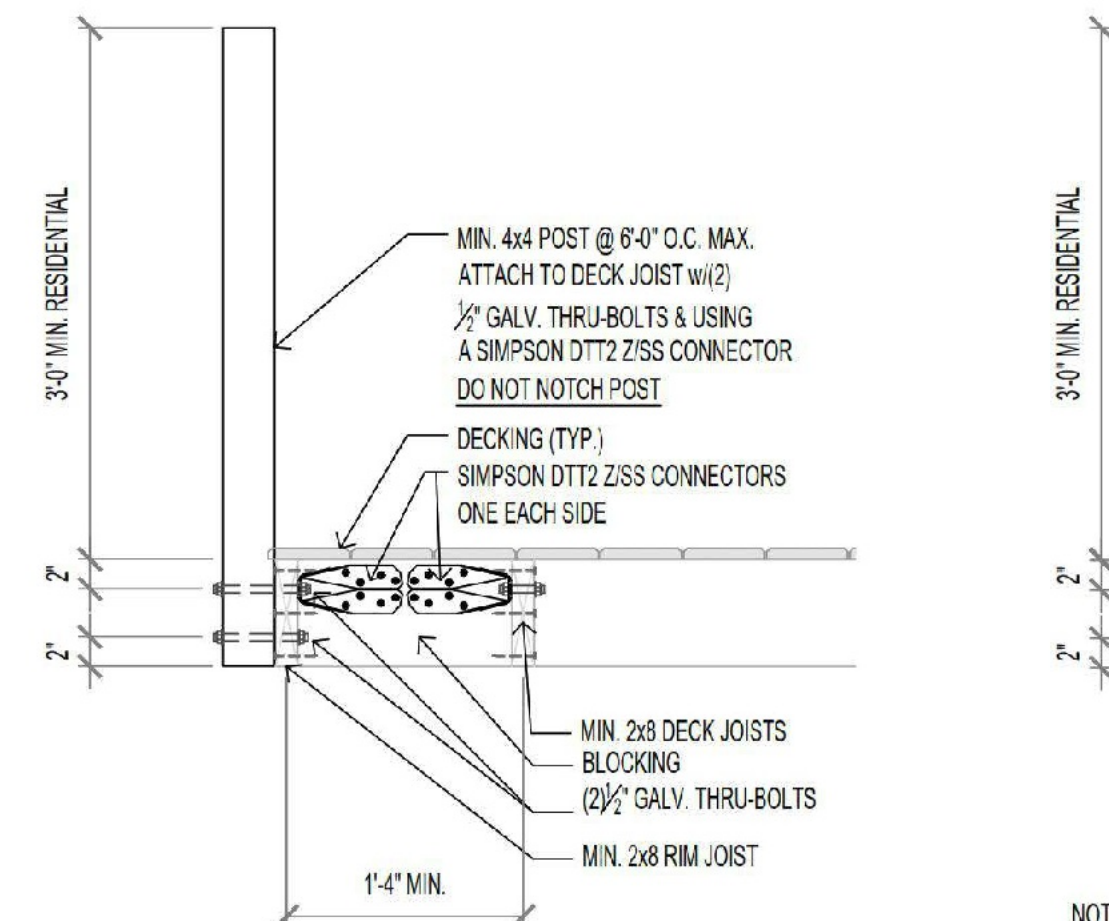
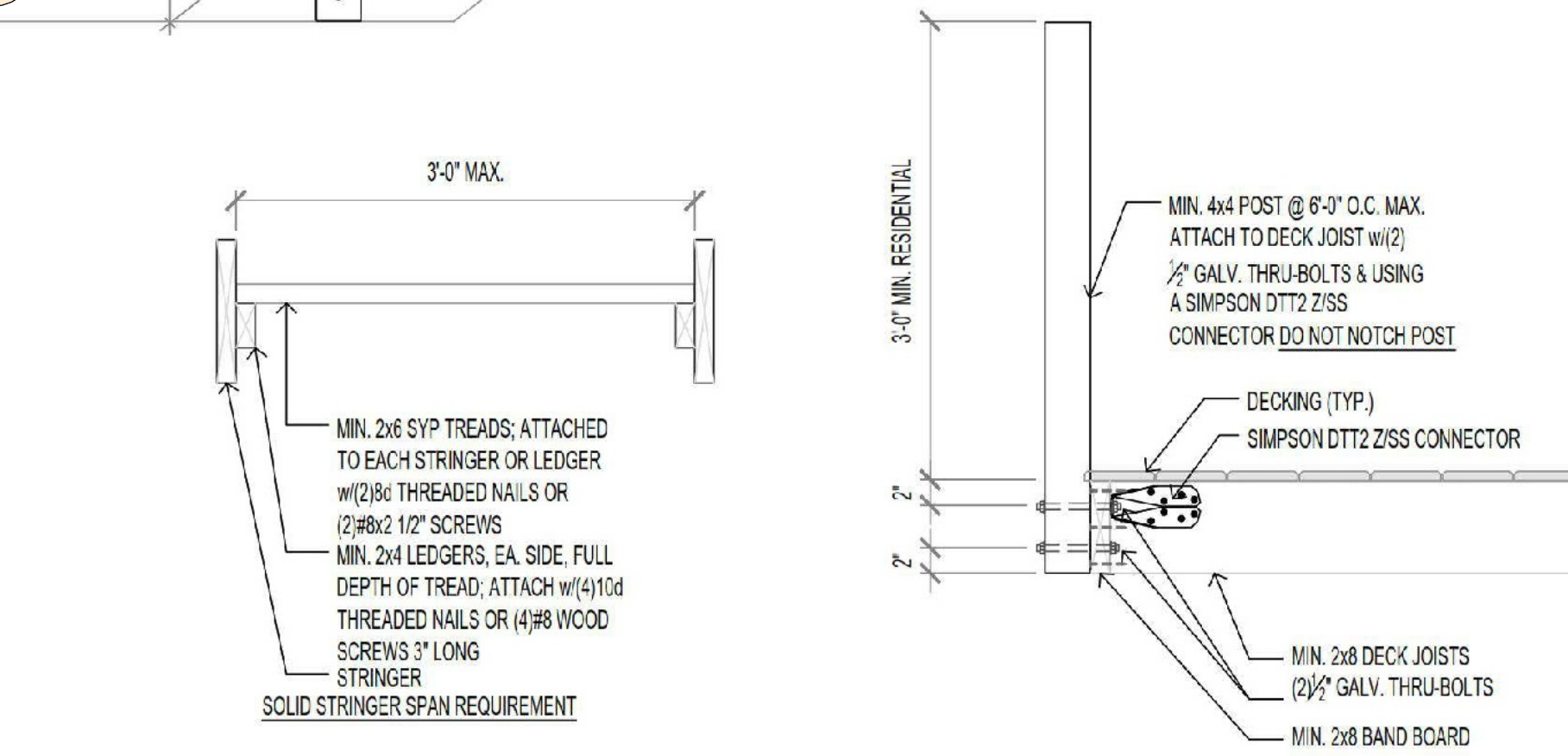
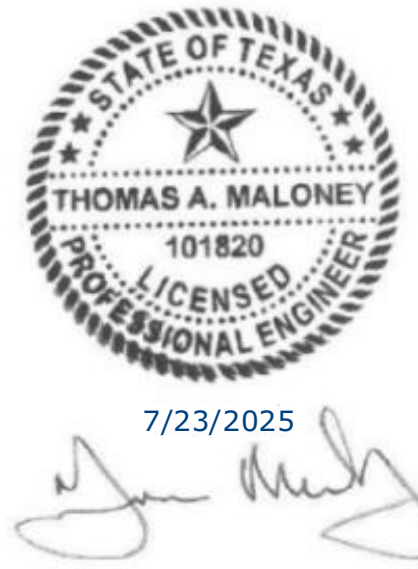
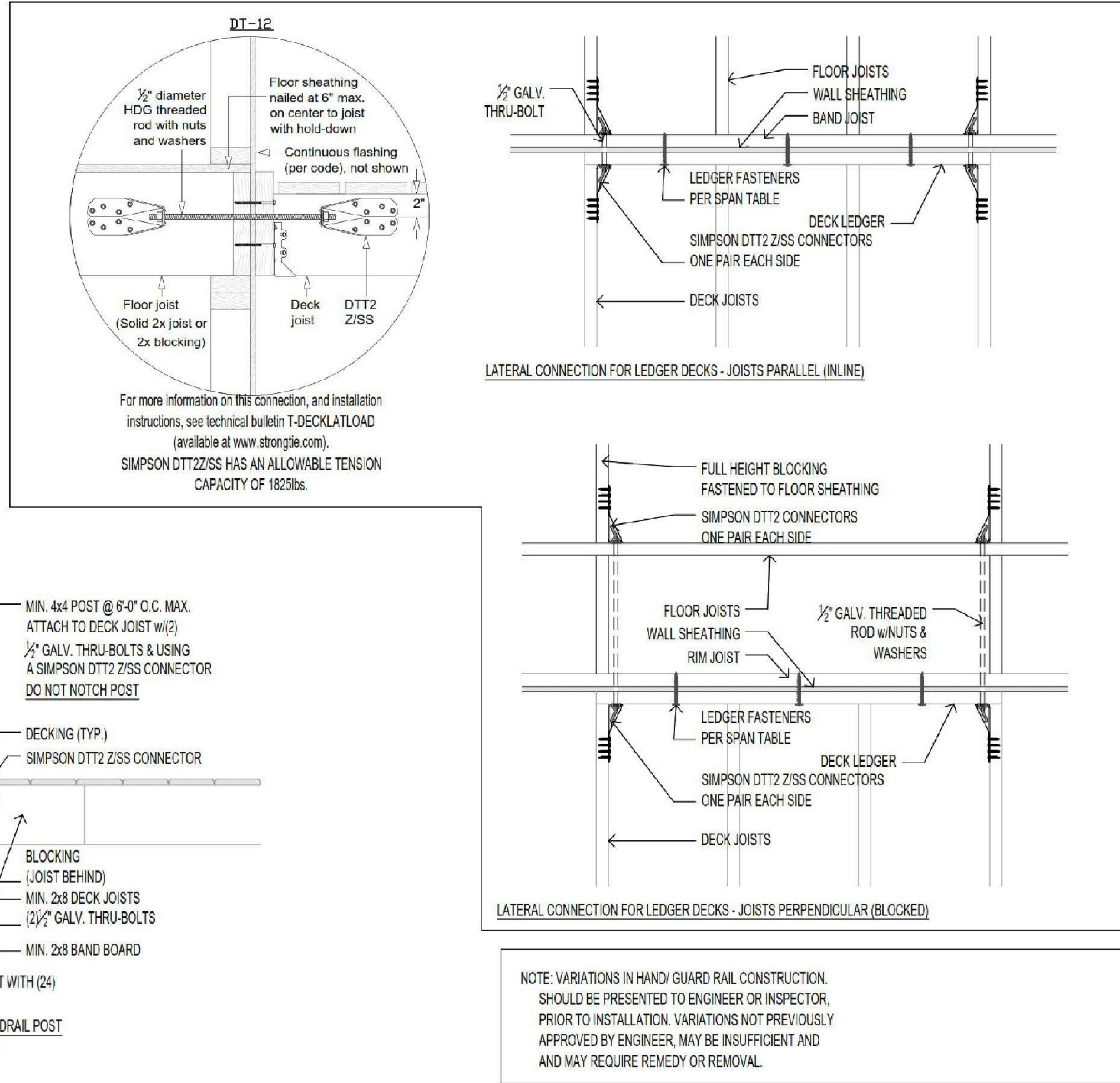
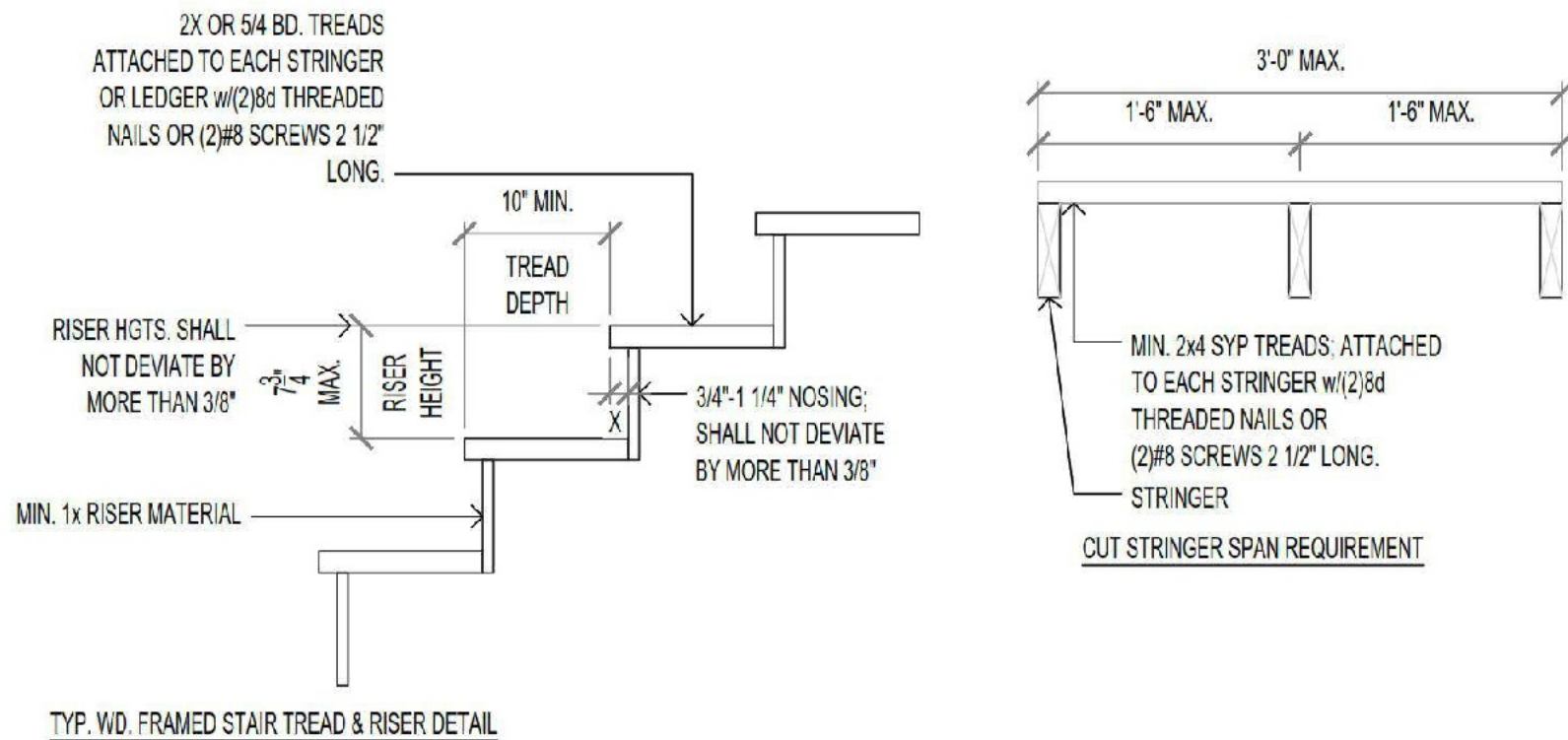
IRC2012
TABLE R507.2

FASTENER SPACING FOR SOUTHERN PINE OR HEM-FIR DECK LEDGER AND 2-INCH NOMINAL SOLID SAWN SPRUCE-PINE-FIR BAND JOIST

JOIST SPAN	≤ 6'-0"	6'-1" to ≤ 8'-0"	8'-1" to ≤ 10'-0"	10'-1" to ≤ 12'-0"	12'-1" to ≤ 14'-0"	14'-1" to ≤ 16'-0"	16'-1" to ≤ 18'-0"
Connection Details							
1/2" dia. Lag screw with 15/32" maximum sheathing ^a	30	23	18	15	13	11	10
1/2" dia. Thru-Bolt with 15/32" maximum sheathing	36	36	34	29	24	21	19
1/2" dia. Thru-Bolt with 15/32" maximum sheathing and 1/2" stacked washers ^{b,h}	36	36	29	24	21	18	16

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0479 kPa.

a. The tip of the lag screw shall fully extend beyond the inside face of the band joist.
b. The maximum gap between the face of the ledger board and the face of the wall sheathing shall be 1/2".
c. Ledgers shall be flashed to prevent water from contacting the house band joist.
d. Lag screws and bolts shall be staggered in accordance with Section R507.2.1.
e. Deck ledger shall be a minimum 2x6 pressure-preservative-treated No. 2 grade lumber, or other approved materials as established by standard engineering practice.
f. When solid-sawn pressure-preservative-treated deck ledgers are attached to a minimum 1" thick engineered wood product (structural composite lumber, laminated veneer lumber or wood structural panel band joist), the ledger attachment shall be designed in accordance with accepted engineering practice.
g. A minimum 1x9-1/2 Douglas Fir laminated veneer lumber rimboard shall be permitted in lieu of the 2-inch nominal band joist.
h. Wood structural panel sheathing, gypsum board sheathing or foam sheathing not exceeding 1" in thickness shall be permitted. The maximum distance between the face of the ledger board and the face of the band joist shall be 1".



21204 GULF DR
GALVESTON, TX

DETAILS

DRAWINGS PROVIDED BY:
TSI SERVICES LLC
STRUCTURAL / CIVIL / DESIGN
REG. NUM. F-13383
409-276-5838

DATE:
7/23/2025
SCALE:
1/2"=1'
SHEET:
D-4

ROOF PITCH TO BE 4/12
CONTRACTOR TO FIELD
VERIFY ALL DIMENSION PRIOR
TO CONSTRUCTION

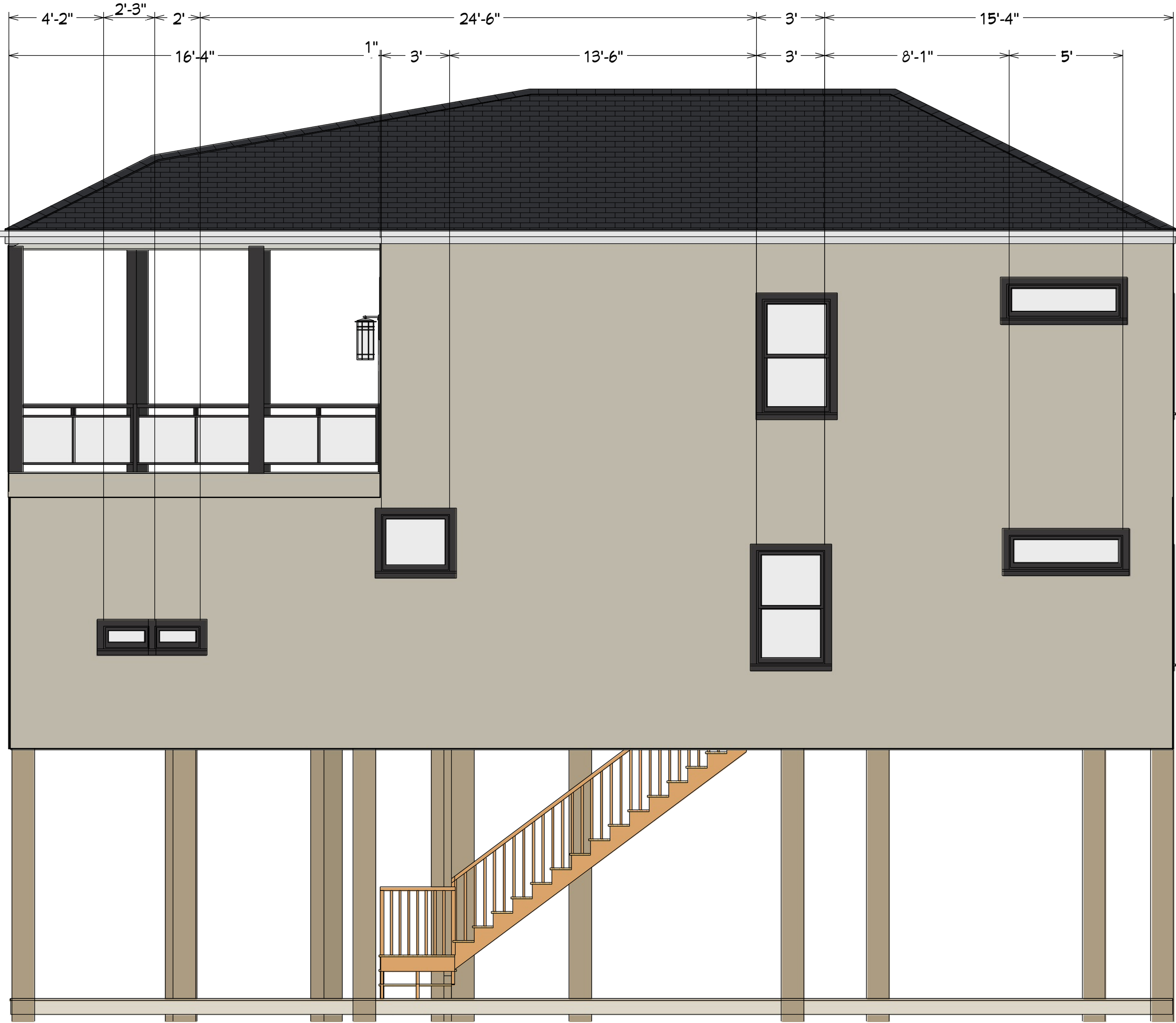
FRONT ELEVATION



NOTE:

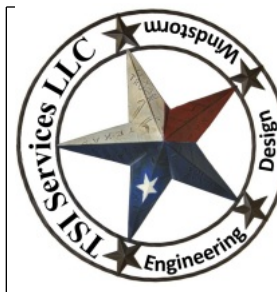
LOWEST HORIZONTAL MEMBER TO BE 18"
ABOVE BFE AS STATED IN THE ELEVATION
CERTIFICATE.

REAR ELEVATION



7/23/2025

John Maloney



21204 GULF DR
GALVESTON, TX

ELEVATIONS

DRAWINGS PROVIDED BY:
TSI SERVICES LLC
STRUCTURAL / CIVIL / DESIGN
REG NUM. F-13383
409-276-5838

DATE:

7/23/2025

SCALE:

1/4"=1'

SHEET:

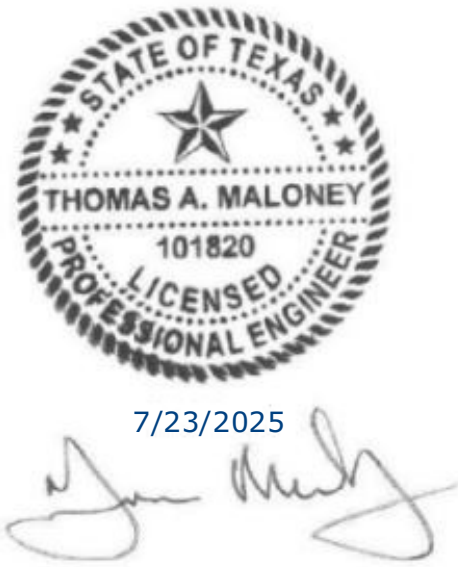
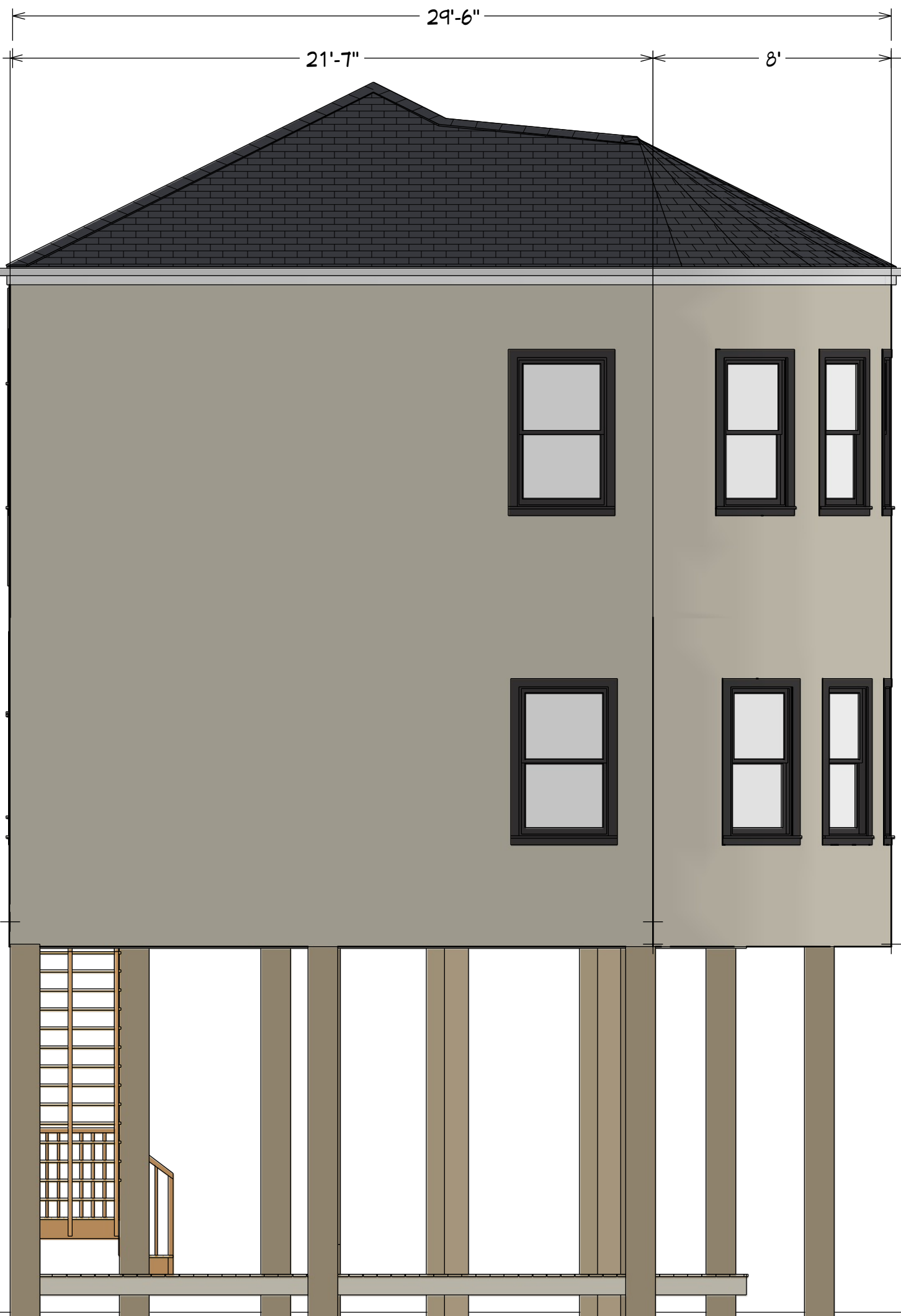
D-9

RIGHT ELEVATION

ROOF PITCH TO BE 4/12
CONTRACTOR TO FIELD VERIFY
ALL DIMENSION PRIOR TO
CONSTRUCTION
CONTRACTOR AND HOME OWNER
TO COORDINATE TYPE AND COLOR
OF ALL MATERIALS



LEFT ELEVATION



21204 GULF DR
GALVESTON, TX

SIDE
ELEVATIONS

DRAWINGS PROVIDED BY:
TSI SERVICES LLC
STRUCTURAL / CIVIL / DESIGN
REG NUM. F-13383
409-276-5838

DATE:

7/23/2025

SCALE:

1/4"=1'

SHEET:

D-10.1

D – Site Photos















E – GLO Comment Letter



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

August 7, 2025

Via Electronic Mail

Kyle Clark
Coastal Resources Manager
Development Services Department
City of Galveston
3015 Market St.
Galveston, Texas 77550

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

Site Address: 21204 Gulf Drive, Galveston
Legal Description: ABST 121 Page 19 12 Lot 40 Sea Isle Sec 22
Lot Applicant: Annie Basu
Case Number: 23P-054
GLO ID No.: BDCOG-25-0082a

Dear Mr. Clark:

The General Land Office (GLO) has reviewed the amended application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to construct a single-family residence with an elevated wooden deck beneath the structure and a gravel driveway. The applicant proposes an amendment to locate the structure further landward outside of the Dune Conservation Area. The proposed construction is located within 200 feet landward of the line of vegetation and adjacent to the Dune Conservation Area. 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 proposed construction activities are located adjacent to the critical dune area. The applicant must take measures to avoid adversely impacting dunes and dune vegetation during construction, such as not placing equipment or construction materials on dunes and dune vegetation.¹ Any unpermitted damage to dunes and dune vegetation is in violation of the Dune Protection Act and the City of Galveston's Dune Protection and Beach Access Plan and is subject to enforcement action by the City of Galveston and the GLO. Enforcement action may include administrative penalties of no less than \$50 and no more than \$2,000 per violation per day.²

¹ 31 Tex. Admin. Code § 15.4(f)(1).

² 31 Tex. Admin. Code § 15.9(a)(1)(A).

- The proposed construction activities must not impact's the public's ability to use or access the public beach.³
- The construction standards in the City's ERP state that a dune enhancement or restoration project consistent with the definition for restored (man-made) dunes provided in the City of Galveston Dune Protection and Beach Access Plan shall be completed prior to the commencement of proposed construction.⁴ In cases where completion of an enhancement or restoration project is deemed infeasible due to site constraints as determined by the Department of Planning and Community Development, payment of a fee-in-lieu of satisfying the requirement shall be made to the City.⁵
- The applicant should direct all stormwater inland away from the critical dune area, public beach and adjacent properties. Construction must be designed to minimize impacts to natural hydrology and provide for the gradual and dispersed drainage of storm water runoff, such that runoff within the lot approximates natural rates, volumes, and direction of flow to avoid erosion and dune damage.⁶
- The City must ensure the proposed construction is consistent with FEMA minimum requirements or with the FEMA-approved local ordinance.⁷ Decks constructed below the base flood elevation must be structurally independent of the habitable structure and must not cause an obstruction, per FEMA free-of-obstruction requirements.

Please be advised that structures may not encroach on the public beach. If the structure becomes located seaward of the line of vegetation because of loss of elevation, the structure may be allowed to remain in place if it does not significantly interfere with public access to the beach or present a public health and safety risk. Structures located seaward of the line of vegetation and landward of mean high tide may be allowed to make certain repairs under the Beach/Dune rules and local government plans.

If any part of a structure comes to be located seaward of the line of mean high tide, it becomes an unauthorized structure on state-owned land. Repairs are prohibited and the state may take action to remove the structure.

In the event of a material change to the site conditions or the proposed construction, a new or amended beachfront construction certificate and dune protection permit is required.⁸ If you have any questions, please contact me at (512) 463-1278 or at michelle.leslie@glo.texas.gov.

Sincerely,


Michelle Leslie

³ Tex. Nat. Res. Code § 61.011(a).

⁴ City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(6).

⁵ City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(6).

⁶ City of Galveston Dune Protection and Beach Access Plan Appendix C § 5.3(3).

⁷ 31 Tex. Admin. Code § 15.6(e)(3).

⁸ 31 Tex. Admin. Code § 15.3(t)(5).

Mr. Clark
August 7, 2025
Page 3 of 3

Manager, Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office



25P-032

STAFF REPORT

ADDRESS:

4115 Avenue O

LEGAL DESCRIPTION:

Adjacent property is legally described as Abstract 628 M.B. Menard Survey (0-1) Northwest, Northeast, Southwest, and Southeast Blocks 58 Galveston Outlots and Part of Adjacent Avenue O 1/2, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

James Grant, Galveston ISD

ADJACENT PROPERTY OWNER(S):

Galveston ISD

EASEMENT OWNER:

City of Galveston

ZONING:

Residential, Single-Family (R-1)

REQUEST:

License to Use (LTU)

APPLICABLE REGULATIONS:

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

STAFF RECOMMENDATION:

Approval

EXHIBITS:

A – Applicant's Submittal

STAFF:

Daniel Lunsford, Planning Manager
(409) 797-3659
dlunsford@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
66				

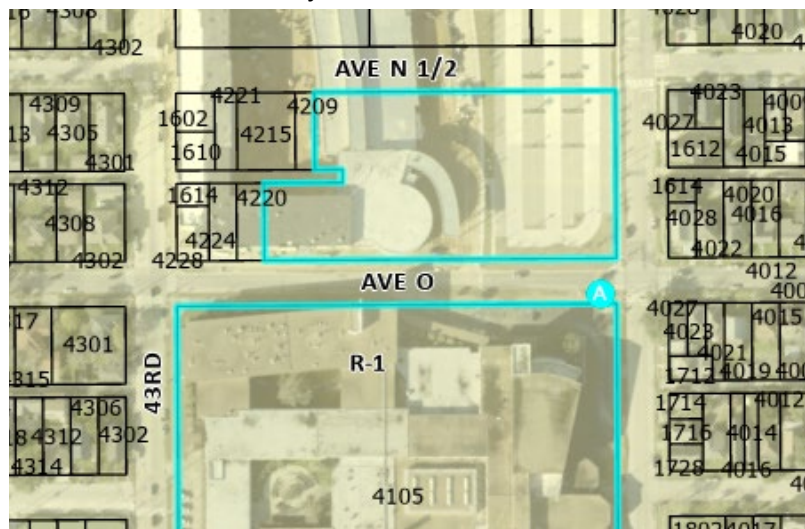
Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

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:

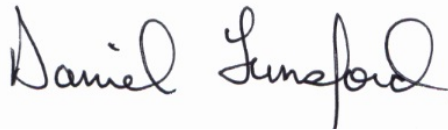
AT&T: No Objection
Comcast: No Objection
CenterPoint Energy: No Objection
Texas Gas Service: No Objection



Background	In 2023, Galveston ISD began construction of a new high school building across from the existing high school complex. A second phase of the project involves partial demolition and redevelopment of the existing high school building at 4115 Avenue O. This request is part of a future phase of construction which has not yet commenced.
Executive Summary	The applicant is requesting a Permanent License to Use to erect a skybridge to connect the existing (southernmost) Ball High School building with the new (northernmost) portion, extending across Avenue O, approximately halfway between 41st Street and 43rd Street. The proposed skybridge will allow students, faculty, and staff to cross Avenue O safely throughout the school day.
Physical Characteristics	The proposed skybridge will be enclosed, and the portion within the right of way will span approximately seventy feet and be approximately twenty feet wide. The structure will be constructed with a minimum of 15 feet of clearance from the crown of the roadway below. The skybridge will be cantilevered across Avenue O and there will be no supports within the Avenue O right of way.
Other Reviews	There were no objections or concerns about the request received from outside utilities or city departments. The Fire Marshal noted that the biggest truck the city uses only requires 12 feet of clearance, and fire codes require a minimum of 13.5 feet of clearance for structures like the one proposed. This leaves approximately 1.5 feet of additional height beyond what fire code requires, and a full three feet beyond the height of the city's tallest fire trucks. Public Works notes that the garbage trucks commonly in use in the city also do not exceed 12 feet in height overall.
License to Use	A License to Use (LTU) is required prior to placing items within or otherwise obstructing City rights-of-way in accordance with Chapter 32-5 of the City Code of Ordinances. Section 13.202 of the Land Development Regulations (LDRs) establish the procedure for processing LTU approval.
Staff Recommendation	Staff recommends Case 25P-032, request for a License to Use the public right-of-way be approved, subject to the following conditions: <i>Specific to Case 25P-032:</i> 1. The Licensee shall adhere to the site plan in Exhibit A for the placement of the construction of the skybridge; 2. A "maximum clearance" sign including the safe clearance of the skybridge shall be installed on the east side of the skybridge; 3. The Licensee shall be responsible for any damage to the right-of-way area caused by the installation and maintenance of the construction items, and should the right-of-way be damaged in any way, the licensee shall repair the area; 4. The Licensee shall pay an annual license renewal fee of \$70 per City Code 32-5(C)(5); <i>Standard Conditions:</i> 5. 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; 6. The cleaning of the debris from the site shall be the responsibility of the Licensee;

7. 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;
8. 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;
9. **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;** and
10. 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

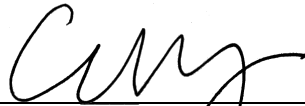
Respectfully Submitted,



Daniel Lunsford, Planning Manager

August 5, 2025

Date



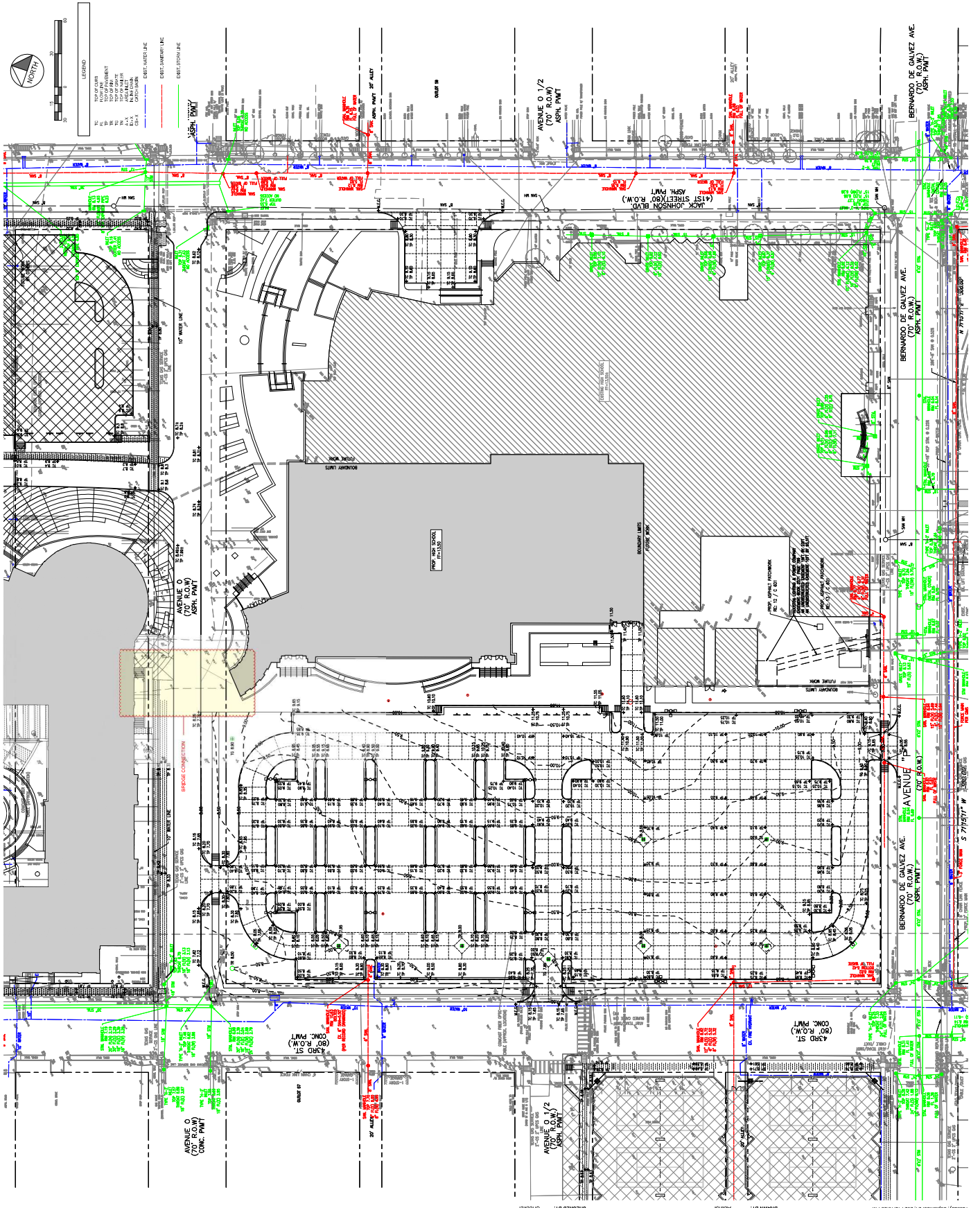
Catherine Gorman, AICP
Assistant Director/HPO

August 5, 2025

Date









MEMORANDUM

TO: Rusty Walla, Planning Commission Chairperson and Planning Commissioners

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

DATE: August 13, 2025

RE: **25P-030 (10302 Seawall Boulevard)** Request for a Planned Unit Development (PUD) Overlay District for a mixed-use development. Property is legally described as Hall and Jones Survey, Part of Lots 344, 345, 360, 361, and 362 (344-1), Trimble & Lindsey, Section 1, in the City and County of Galveston, Texas.
Applicant: Steven L. Biegel, AIA
Property Owner: Mohamed Eldawy, Royal Crown Enterprise LLC

The applicant is requesting deferral of this request to the September 16, 2025 meeting in order to address Staff's comments.

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



25P-034

STAFF REPORT

ADDRESS:

5703 Stewart Road

LEGAL DESCRIPTION:

Property is legally described as Hall and Jones Survey, Lot 5, Part of Lots 2, 3, 4 and Adjacent North 1/2 of Alley (5-0), Block 1, Johnston Addition, in the City and County of Galveston, Texas

APPLICANT/REPRESENTATIVE:

Michael Gaertner, Sr., Architect

PROPERTY OWNER:

Albert Khajianpour

ZONING:

Commercial (C)

REQUEST:

Planned Unit Development (PUD)

APPLICABLE LAND USE REGULATIONS:

Article 4 of the Land Development Regulations

STAFF RECOMMENDATION:

Approval

EXHIBITS:

- A – Applicant's Submittal
- B – Public Work's Comments
- C – Zoning Map

STAFF:

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

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
8				

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
Coastal Resources: No Objection
Fire Marshal: No Objection
Fire Chief: No Objection
Police Chief: No Objection
Public Works: Comments – Please see Attachment B

Private Utilities Notification Responses:

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



Executive Summary This is a request for a Planned Unit Development (PUD) Overlay District to establish a “Parking Lot, Commercial Surface Parking Area” land use in the Urban Neighborhood (UN) zoning district. The purpose of the PUD is:

- To allow for the land use of "Auto Service Station" which is not permitted within 200 feet of a residential land use or residential zoning district. The proposed use is a tire shop.

Site Details The subject site consists of one lot located at the southwest of the intersection of Saladia and Stewart Road. The lot has a total area of 10,454 square feet. The site consists of one vacant building.

Compatibility with Base and Surrounding Zoning and Land Uses The subject site is zoned Commercial (C). The proposed use is "Auto Service Station". The proposed use is a Limited Use in the Commercial (C) zoning district. Limited Uses are permitted if all of the associated Limited Use Standards are met:

1. **Truck Access.** The use shall be located so associated truck traffic can access a collector, arterial, or highway without traveling on a public rights-of-way adjacent to any residential property, school, public park, or recreational area or facility.
2. **Minimum Distance from Residential.** The use shall be located a minimum of 200 feet from any residential use or residential zoning district boundary, measured as a radius from the property lines of the limited use.
3. **Auto Service Orientation of Service Bays.** Vehicle service bays shall be oriented away from any adjacent residential use or residential zoning district boundary.
4. **Screening.** Outdoor Vehicle Service and Storage Areas: Any outdoor areas used for vehicle service activity or temporary storage of vehicles undergoing service shall be screened so as not to be visible from abutting public street rights-of-way.

The request is to deviate from the Limited Use Standard regarding minimum distance from residential. The “Auto Service Station” land use is not permitted within 200 feet of a residential land use or zoning district. Single-Family, Residential (R-1) zoning occurs within 200 feet of the subject site to the east and south as shown on Exhibit C. No residential land uses occur within 200 feet.

Please note that the applicant’s narrative mentions the “Passenger Motor Vehicle Sales” land use. This land use is permitted in the Commercial (C) zoning district as a Limited Use. The site is able to meet the associated Limited Standards, and no deviation is requested for the “Passenger Motor Vehicle Sales” land use.

Ability of the Property to be used under Current Zoning The subject site is zoned Commercial (C). The C district is intended to accommodate a wide range of retail, service, and office uses while also providing for a variety of housing options.

The subject site and vicinity current consists of commercial uses and buildings. As noted above, the land use of "Auto Service Station" is not permitted within 200 feet of a residential land use or zoning district. Single-Family, Residential (R-1) zoning occurs within 200 feet of the subject site to the east and south as shown on Exhibit C. No residential land uses occur within 200 feet.

**PUD Details
/Development Plan**

The purpose or intent of the PUD	The purpose or intent of the PUD is: To deviate from the Limited Standard, Section 2.308.5(A)(2), which requires the "Auto Service Station" land use be located a minimum of 200 feet from any residential zoning district boundary.
PUD Land Uses	"Auto Service Station" and all other uses as allowed in the Commercial (C) zoning district.
Density	There are no proposed dwelling units.
Building Height	The proposed structure shall have an eave height of 15 feet and a maximum ridge height of 25 feet.
Building Setbacks	The proposed setbacks are: front—0 feet, side—5 feet, and rear—0 feet for a commercial use.
Limits of Construction	Construction activities shall be confined to the property boundaries, with work extending into the public right-of-way only as necessary for the installation of utilities, curbs, sidewalks, and driveways.
Building Elevations	The existing building will remain in place with minor renovations valued at less than 50% of the current structure. New additions for storage purposes will be constructed at-grade, consistent with floodplain requirements that exempt non-habitable storage from elevation above base flood elevation. See Exhibit A for the Applicant's Submittal.
Vehicular Parking	The site will provide six to eight standard parking spaces, with additional stacking space for one to two vehicles near the tire service area to accommodate peak customer flow.
Pedestrian Access	Pedestrian access will be maintained via the existing sidewalk along Stewart Road, consistent with current public infrastructure and pedestrian network.
Streets and Circulation	Vehicular access to the site will be provided from Stewart Road and 57th Street, maintaining safe and efficient internal circulation for customers and service vehicles.
Screening and Landscape	Screening and landscaping will be provided along the Stewart Road frontage, incorporating plant materials and/or fencing consistent with the City's design requirements.
Environmental Protection	The project shall comply with all applicable environmental regulations, including a Storm Water Pollution Prevention Plan (SWPPP) and adherence to the Texas Pollutant Discharge Elimination System (TPDES) General Permit TXR150000 for small construction sites (1 to 5 acres).

Signage	Signage will include building-mounted wall signs and incidental signage such as directional and parking-related signs. All signage will comply with the City of Galveston sign ordinance.
Lighting	Site lighting shall be designed in compliance with City of Galveston requirements, including dark sky provisions and prevention of light trespass onto adjacent properties.
Phasing or Scheduling	The project shall be constructed in a single phase, with all improvement completed prior to occupancy of the new facility.
Unique characteristics or exceptional circumstances	See Exhibit A for the Applicant's Submittal.

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.

Staff Recommendation

Staff finds that the proposed PUD request does conform to the criteria for approval. The uses and the character of development that is proposed are compatible with the properties in the immediate vicinity of the subject parcel. While the Limited Standards requires that new "Auto Service Station" land uses be located at 200 feet from residential

land uses and zoning districts, there are no residential land uses within that distance. The Single-Family, Residential (R-1) zoning district that occurs within 200 feet of the subject site consists of undevelopable right-of-way and two vacant lots. The vacant lots are owned by the City of Galveston and development is not contemplated on those lots. Staff finds that there will not be a negative impact to the surrounding residential land uses from the proposed development. The proposed development will improve a site with a history of compliance complaints. Furthermore, the PUD allows City Council to establish safeguards, such as hours of operation, that will ensure compatibility with the surrounding area.

The applicant has responded to Public Work's comments by proposing to close the eastern driveway and curb cut. This is reflected in the applicant's narrative.

Staff recommends approval of the request with the following conditions:

Specific Conditions;

1. Granting of a PUD zoning district shall not relieve the developer from complying with all other applicable sections of the Land Development Regulations (LDR), and other Codes and Ordinances of the City of Galveston, unless such relief is specified in the approved PUD plan and PUD ordinance. Relief provided by this PUD plan includes:
 - a. To deviate from the Limited Standard, Section 2.308.5(A)(2), which requires the "Auto Service Station" land use be located a minimum of 200 feet from any residential zoning district boundary.
2. The eastern curb cut and driveway on the site shall be removed. The adjacent curb and grassy area shall be continued across the former driveway. The sidewalk shall be maintained;
3. The hours of operation shall be no earlier than 7:00am and no later than 6:00pm;
4. No outdoor audio or loudspeaker systems shall be permitted;
5. No outdoor storage of tires or auto parts shall be permitted outside of business hours;

Standard Conditions of a Planned Unit Development (PUD):

6. The use shall conform to the attached PUD plan and other applicable ordinances;
7. 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;
8. The applicant shall adhere to all comments/conditions received from City departments and private utilities;
9. 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;

10. 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; and,
11. The applicant shall submit for approval all plans to the Development Services Department for compliance with all City codes.

City Council has the final decision regarding this PUD request. Council will hear this request on September 18 2025.

Respectfully Submitted,



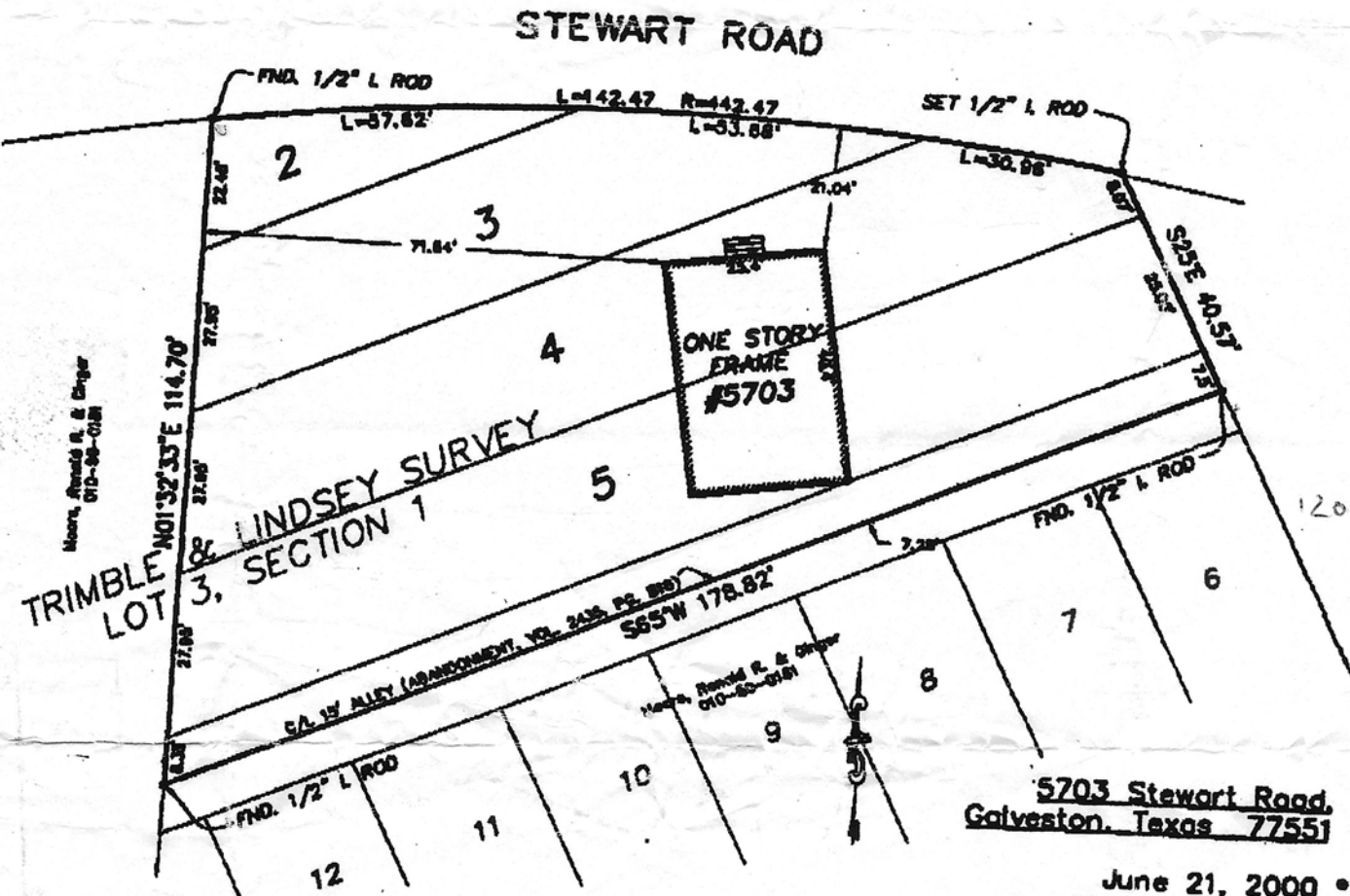
Catherine Gorman, AICP, Assistant Director/HPO

08/13/2025

Date

Attachment "A"
Legal Description

Lot five (5) and part of lots two, three and four (2, 3 & 4) together with the north half of an abandoned 15 foot alleyway and adjoining lot five to the south in Block one (1) of Johnston's Addition, a subdivision in Galveston County, according to the map or Plat thereof recorded in Volume 113, page 36 in the offices of the County Clerk of Galveston, Texas.



5703 Stewart Road,
Galveston, Texas 77551

June 21, 2000 •
Scale: 1" = 30'

Survey of Lot Five (5) and part of Lots Two (2), Three (3), and Four (4), together with the north half of an abandoned 15 foot alley adjoining said Lot 5 on the South, in Block One (1) of JOHNSTON'S ADDITION, a subdivision in Galveston County, Texas according to the map or plat thereof recorded in Volume 113, Page 36, in the office of the County Clerk of Galveston County, Texas.

I hereby certify that on the above date, the above described property together with improvements located thereon, was surveyed on the ground under my direction and that the above map together with dimensions as shown is true and correct as of the above date.

ALL, JOHNSON & BOUSE, Surveyors

Sidney Bouse
Sidney Bouse
Registered Professional Land Surveyor No. 5507



Narrative

Relocation of A & A Tire & Auto Service, a Business with Limited Vehicle Sales to 5703 Stewart Road, Galveston, Texas

I. Introduction and Background

This Planned Unit Development (PUD) application proposes the relocation of an established, locally owned tire and automotive service business to the property located at 5703 Stewart Road. The subject site is currently occupied by a vacant restaurant and bar that has been closed for an unknown time. The proposed use includes tire sales and installation, including but not limited to mechanical services such as alignment, suspension, and front-end repair, and a small number of passenger vehicle sales. The owner's current facility, located across Stewart Road, is leased and no longer viable due to the property owner's desire to reclaim the site .

The applicant seeks to invest in and redevelop the property at 5703 Stewart Road as a permanent location for his business, continuing to serve the local community. Because the site is located within 200 feet of residential zoning, approximately 80 feet to the northeast, the limited-use standards outlined in the City of Galveston's Land Development Regulations (LDRs) trigger the need for a PUD to allow the proposed use. The residential property to the northeast is currently vacant.

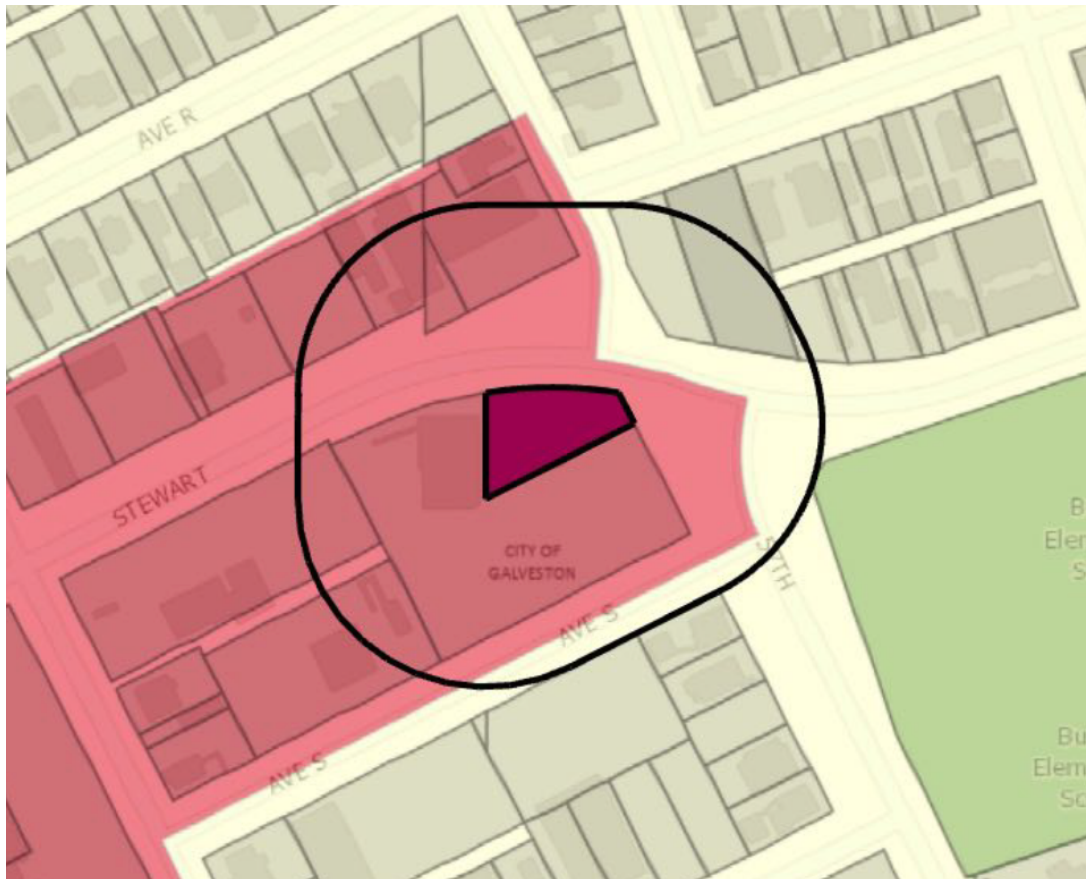


Figure 1: 200' offset of property lines

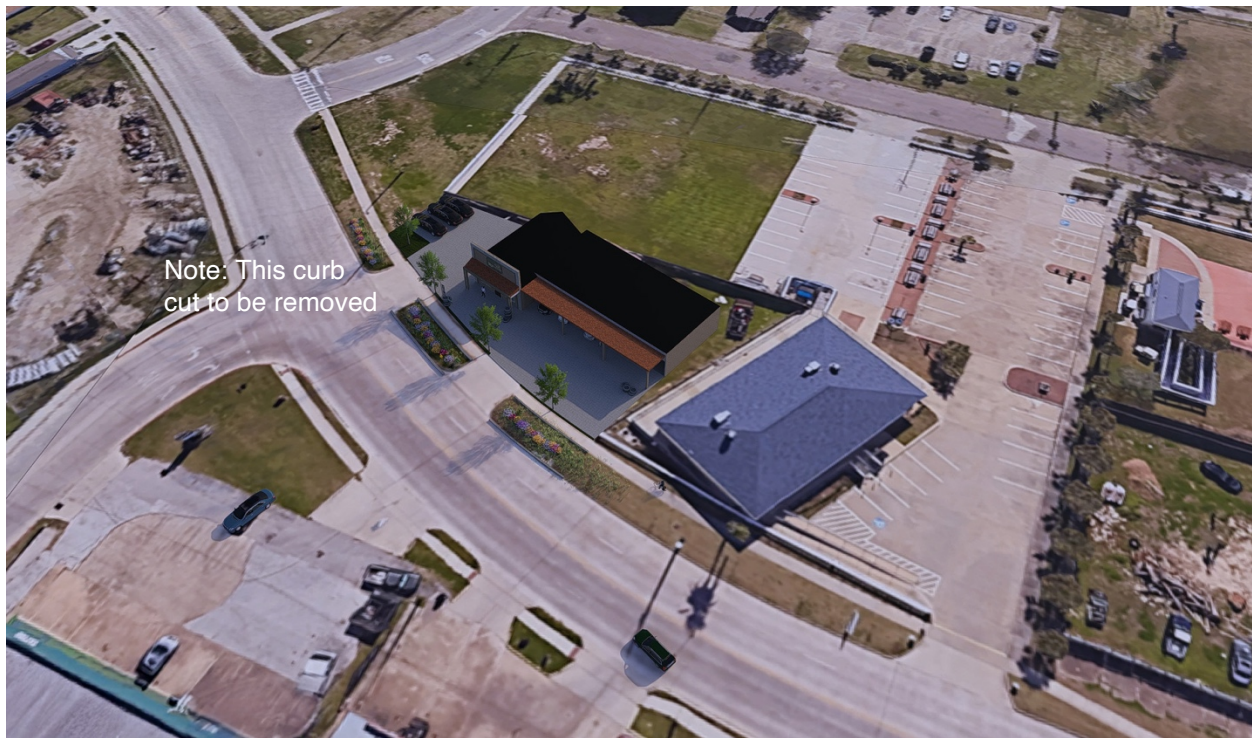


Figure 2 Aerial (Bird's Eye) View of subject property & proposed Tire Shop

II. Basis for Compatibility and Justification for PUD

The LDRs require a 200-foot separation between certain commercial uses and residential zoning districts. This requirement is intended to protect nearby homes from excessive noise, light, traffic, and other potential nuisances. The PUD process provides a means by which flexibility can be granted if the applicant can demonstrate that the intent of the buffer requirement shall be achieved through alternative means. This application provides such justification.

A. Comparison to Previous Use

The site was previously used as a bar and restaurant, a use that typically involves late-night operating hours, loud music, increased vehicular activity during nighttime hours, and a much higher potential for public disturbance. By contrast, the proposed business shall operate from 7:00 a.m. to 6:00 p.m., Monday through Saturday. There shall be no nighttime operations, alcohol sales, or amplified outdoor activity. The change in use from a late-night drinking establishment to a daytime-only service business represents a significant reduction in intensity and disruption to adjacent residences.

B. Nature of the Proposed Use

The core of the business remains tire and auto service—a use that generates moderate, predictable traffic volumes and relatively low noise levels limited to working hours. Occasional use of pneumatic tools shall occur during daytime hours. No overnight repair or outdoor storage of vehicles being serviced is proposed. Limited automobile sales shall be conducted on site, with no more than 6 vehicles displayed at any time, and all sales activity shall be conducted during regular business hours. The proposed sales component shall be accessory to the primary service business and shall not introduce any material change in traffic or intensity. Along Stewart Road, there should be no appreciable change in traffic as a result of the relocation of the business.



Figure 3 View from Stewart Road

III. Design and Operational Conditions to Ensure Compatibility

The applicant proposes to incorporate design and operational standards into the PUD to ensure compatibility with neighboring residential uses and conformance with the intent of the LDRs. These include:

1. Hours of Operation:

Business hours shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday. No operations shall occur on Sundays or after hours.

2. Noise Control:

Use of pneumatic tools or impact wrenches shall be confined to daytime hours only. No outdoor audio or loudspeaker systems shall be used.

3. Lighting:

All exterior lighting shall be fully shielded and directed downward to minimize light spillover onto adjacent properties. Security lighting shall be motion-activated and minimal in intensity.

4. Screening and Landscaping:

Right-of-Way screening shall be installed at the property line along Stewart Road. Landscaping shall be installed and maintained in compliance with city standards.

5. Vehicle Display and Parking:

No more than six passenger vehicles shall be displayed for sale at any one time. Display vehicles shall be kept on paved surfaces in designated areas. Customer and employee parking shall comply with LDR off-street parking requirements.

6. Access and Circulation:

Driveway access shall be reduced to the curb cut furthest to the west and the east curb cut removed to reduce conflicts at the nearby intersection. No access shall be provided from any adjacent residential street. Site circulation shall be configured to prevent traffic from backing

into the right-of-way.

7. Trash and Waste Management:

Trash collection and used tire storage shall be screened from public view. No storage of tires or parts shall occur outdoors beyond business hours.

8. Signage:

All signage shall conform to the City's signage ordinance. No off-premises advertising or pole signage is proposed.

IV. Conclusion

This PUD application provides a thoughtful and balanced redevelopment of a vacant commercial site on a major corridor. The proposed tire and auto service business with limited automobile sales represents a substantial improvement in compatibility compared to the site's prior use as a restaurant / bar. By operating during limited daytime hours and implementing strong design and operational controls, the business shall minimize any potential impacts on adjacent residential areas while supporting reinvestment and economic activity along Stewart Road.

Approval of this PUD will allow a long-standing Galveston business to remain in the community, invest in property ownership, and contribute positively to the Stewart Road corridor through thoughtful site redevelopment and responsible business practices.



Figure 4 View from NW corner of site

NOTE: the attached design drawings are conceptual in nature and the final configuration of the building and parking area may vary from the attached drawings.

SEC. 4.102, D. 1.

a. Purpose and Intent:

The purpose of this Planned Unit Development is to allow use of the property at 5703 Stewart Road for Auto Service Station and (limited) Passenger Motor Vehicle Sales in a manner consistent with surrounding development and compatible with adjacent land uses.

b. PUD Land Uses:

Permitted uses within the PUD shall include Auto Service Station and (limited) Passenger Motor Vehicle Sales, as defined in the City of Galveston Land Development Regulations.

c. Density:

Residential density is not applicable to this application, as no residential dwelling units are proposed within the PUD.

d. Building Height:

The existing structure and proposed addition will conform to a maximum eave height of 15 feet and a ridge height of 25 feet.

e. Building Setbacks:

Proposed building setbacks are as follows: front setback of 0 feet, side setback of 5 feet, and rear setback of 0 feet, in accordance with existing site conditions and zoning allowances.

f. Lot Coverage:

Lot coverage is not limited by this application, and the existing and proposed improvements fall within allowable impervious coverage under current engineering and zoning standards.

g. Building Elevations:

The existing building will remain in place with minor renovations valued at less than 50% of the current structure. New additions for storage purposes will be constructed at-grade, consistent with floodplain requirements that exempt non-habitable storage from elevation above base flood elevation.

h. Vehicular Parking:

The site will provide six to eight standard parking spaces, with additional stacking space for one to two vehicles near the tire service area to accommodate peak customer flow.

i. Pedestrian Access:

Pedestrian access will be maintained via the existing sidewalk along Stewart Road, consistent with current public infrastructure and pedestrian network.

j. Streets and Circulation:

Vehicular access to the site will be provided from Stewart Road and 57th Street, maintaining safe and efficient internal circulation for customers and service vehicles.

k. Screening and Landscaping:

Screening and landscaping will be provided along the Stewart Road frontage, incorporating plant materials and/or fencing consistent with the City's design requirements.

l. Environmental Protection:

The project will comply with all state and local stormwater and erosion control regulations, including implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the Texas Pollutant Discharge Elimination System (TPDES) General Permit TXR150000 for small construction sites.

m. Signage:

Signage will include building-mounted wall signs and incidental signage such as directional and parking-related signs. All signage will comply with the City of Galveston sign ordinance.

n. Lighting:

Site lighting will conform to applicable City of Galveston standards, including requirements for dark-sky compliance and prevention of light spillover onto adjacent properties.

o. Phasing or Scheduling:

Development of the site will occur in a single phase, with all improvements completed prior to occupancy of the new facility.

p. Other Requirements:

The applicant acknowledges that all additional requirements of the Land Development Regulations, and any conditions deemed appropriate by the City Council, shall apply and be adhered to as part of this PUD approval.

SEC. 4.102, D. 3.

a. Proposed Land Uses (including prohibited uses):

The proposed land use for the site is Passenger Motor Vehicle Sales and Auto Service Station. No changes are proposed to the base zoning district's permitted or prohibited uses beyond those allowed through this PUD.

b. Existing Natural Features:

The site contains no natural drainage ways or significant topographic variation. The entire property lies within the FEMA-designated floodplain, and all development will comply with applicable floodplain management regulations.

c. Location of Proposed Buildings, Building Envelopes, or Setbacks:

The existing buildings will remain in place. A covered outdoor tire service area and a new tire storage structure are proposed west of the main building. An existing raised deck on the site will be removed. All proposed improvements will remain within allowable setbacks.

d. Tabulation of Proposed Dwelling Unit Density:

Not applicable. No residential uses or dwelling units are proposed within the PUD.

e. Floor Area Ratios and Building Heights:

The proposed development will maintain a floor area ratio of less than 0.40. The eave height of the structures will not exceed 20 feet, with the peak of the gable roof reaching a maximum height of 25 feet.

f. Proposed Circulation Systems:

No new streets or internal vehicular circulation routes are proposed. Access will be maintained from Stewart Road and 57th Street, with adequate circulation provided on-site for customer and service vehicles.

g. Proposed Public Parks, Greenbelts, or Open Space:

Not applicable. The site is developed for commercial use and does not include parks, greenbelts, or designated open space.

h. Proposed Public Facilities:

No public facilities are proposed as part of this PUD. The development is commercial in nature and does not include schools, fire stations, or other civic uses.

i. Proposed and Existing Landscaping:

New landscaping is proposed along 47th Street, the only developed street frontage adjacent to the site. All plantings will comply with the City's landscaping and screening requirements. No existing landscaping is present.

j. Public Access:

The site will continue to be accessed from Stewart Road. No new public access points are proposed.

k. Proposed Easements:

No new easements are proposed as part of this development. All existing utility and access easements will be preserved.

l. Proposed Trail Networks:

Not applicable. No pedestrian or recreational trail networks are planned or proposed as part of this PUD.

m. Environmentally Sensitive Areas:

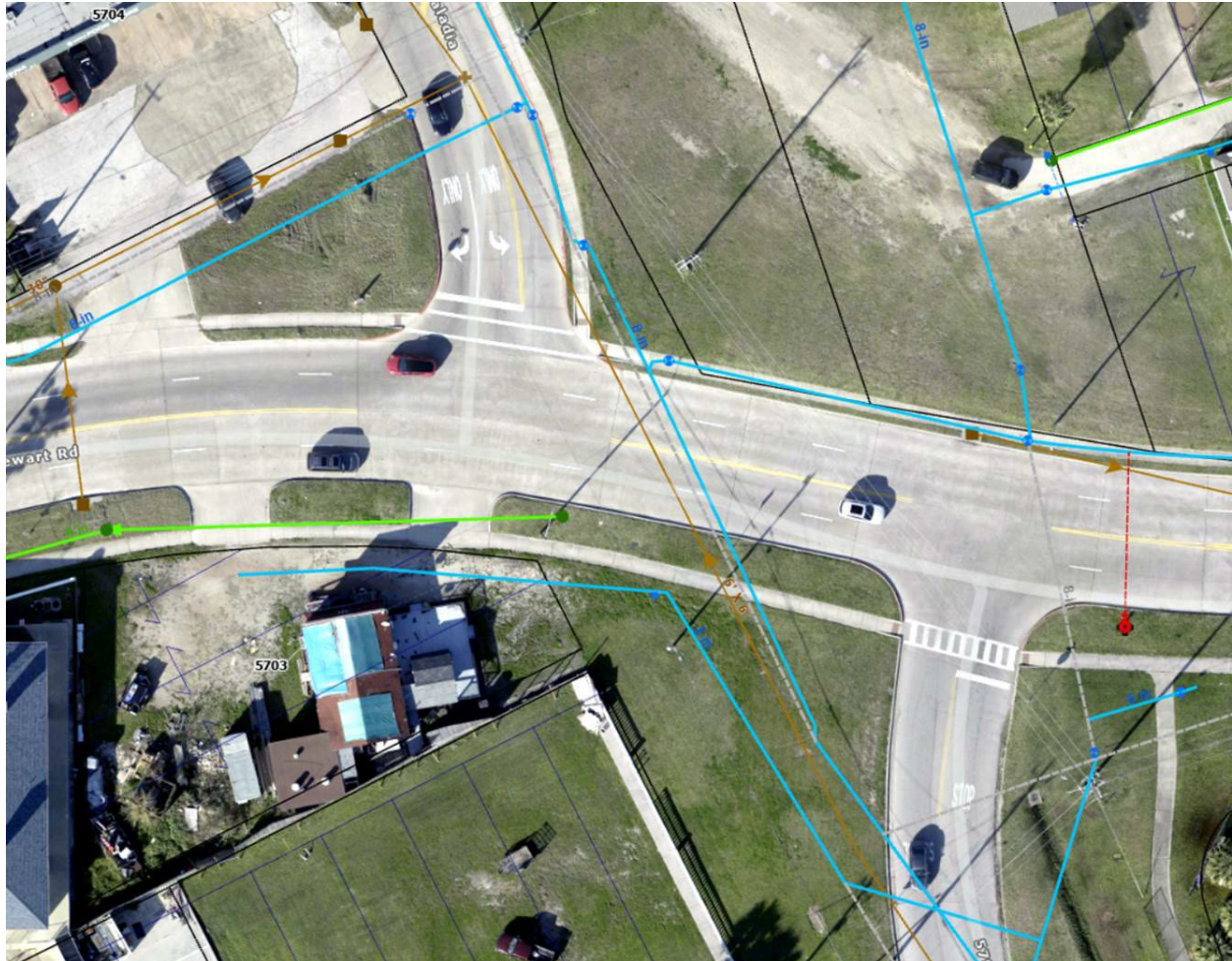
There are no identified environmentally sensitive areas on the site. The property has previously been developed and is fully disturbed.

n. Transit Network and/or Stops:

The nearest public transit stop is located at Burnet Elementary School, approximately 900 feet from the site. This stop is accessible by a 3- to 5-minute walk and provides local transit connectivity.

From Rob Winiecke, P.E., Director of Infrastructure and Engineering, Public Works:

I have concerns over the existing driveway entrances on this site, especially with regards to the driveway that falls within the intersection of Saladia and Stewart Road (see below).



The proposed use of the redeveloped site will be a service business that will rely heavily on a steady stream of vehicles coming in/out of the business to remain viable. Doing so within an active intersection is highly dangerous and will introduce many conflict points for motorists that do not exist at this intersection today. This proposed redevelopment will likely warrant some form of traffic safety improvements, whether it be the addition of turn lanes or other mitigation measures, to minimize impacts on traffic in the area and surrounding intersections. Regardless of the development, an applicant will be required to submit a Traffic Impact Analysis assessing the businesses impacts on the surrounding intersections:

- Saladia & Stewart Rd
- Saladia & Avenue R ½
- 56th Street & Avenue S
- 56th Street & Avenue R ½
- 57th Street & Stewart Road

- 57th Street & Avenue S
- 57th & Avenue S ½
- 59th Street & Avenue S
- 59th Street & Avenue S ½
- 59th Street & Stewart Road
- 61st Street & Stewart Road
- 61st Street & Avenue S ½

I believe that a different site layout than provided could help to minimize the impacts on the existing roadway network and maintain/improve overall safety for the travelling public while supporting the viability of this business venture.



25P-029

STAFF REPORT

ADDRESS:

Adjacent to 0 Seabird Drive

LEGAL DESCRIPTION:

Request for a replat to vacate a previously established subdivision. Properties are legally described as Abstract 121 Hall & Jones Survey Lots 1-19 Elisabeth Estates Section 2 and Abstract 121 Hall & Jones Survey Private Streets (0-1) Elisabeth Estates Section 2, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Jordan Alcocer, Tricon Land Surveying, LLC.

PROPERTY OWNERS:

KSL Development, LLC.

ZONING:

Residential, Single Family (R-1)

REQUEST:

Replat to combine 19 parcels into one.

STAFF RECOMMENDATION:

Approval with Conditions

EXHIBITS:

- A - Aerial Map
- B - Current Survey
- C - Replat Survey

STAFF:

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

Public Notice: 18

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 and Private Utility Notification Responses:

Airport: No Objection

Building Division: No Objection

Fire Marshal: No Objection

Fire Chief: No Objection

Police Chief: No Objection

Public Works: Future development will require Seabird Drive improvements at developer's expense.

Private Utilities Notification Responses:

AT&T: No Objection

Comcast: No Objection

CenterPoint Energy: Easement issues must be resolved

Texas Gas Service: No Objection



Background

Sometime prior to 2000, the Elizabeth Estates Subdivision was established; however, none of Section 2 was ever developed. Lots 1-19 and the private drives connecting them were sold numerous times, including to the applicant and current owner.

Executive Summary

The applicant is requesting a replat to incorporate the approved abandoned properties described above to create a single parcel of land comprised of 3.948 acres. All parcels involved in the replat are owned by the same entity.

Site and Surrounding Area	The subject parcels are undeveloped, with no active water or sanitary sewer connections. The resulting parcel and parcels to the north owned by others and not included in this replat are accessed by a platted access and utility easement at the northern terminus of Seabird Drive. Seabird Drive is a private drive established at an unknown point in the past, likely before that portion of Galveston Island was annexed.
Drainage/Public Infrastructure and Easements	No development plans have been presented to the City at this time; however, any future development would be subject to the usual development review and permitting processes. Currently the owner is only proposing to combine the lots while retaining the previously platted access, drainage, and utility easements (see Exhibits B and C).
Other Reviews	CenterPoint Energy’s plat review contractors require the applicant to apply for release of easements with Centerpoint Energy to abandon existing easements and private drives no longer needed before the plat can be filed. Public Works notes that any future development of the subject parcels shall require improvements along Seabird Drive for access and utilities. These improvements are typically at the developer’s expense. Planning has concerns with access issues for the lots to the north. While those lots are all owned by the same individual, each lot should have access to the Seabird Drive access easements and public roadways that those connect to comply with state law. A minimum 35’ wide access easement connecting to the existing north-south utility and access easement to provide access to Seabird Estates Section 2, Lots 20-26 shall be added to the plat document prior to filing.
Minimum Lot Standards	These parcels are part of an earlier subdivision which was never developed and when combined will greatly exceed the minimum requirements for new parcels in R-1 zoning. The Residential, Single-Family (R-1) zoning district lot requirements are a minimum 50 feet in width, 100 feet in depth, and a minimum 5,000 square feet of lot area. Note that because more than four lots are involved in the replat request, Planning Commission action is required.
Plat Approval Criteria	According to Section 13.502 of the Land Development Regulations, the following are the approval criteria for plats: A. Generally. Preliminary plats, final plats, and development plats shall be approved if, following review by City staff, it is determined that the plat meets all applicable regulations. The staff report may include “standard conditions” that serve as a checklist of ordinary regulatory requirements, but which are not corrections or changes necessary to conform to applicable regulations. 1. If a plat is submitted to the Planning Commission with only the “standard conditions” in the staff report and no other conditions are required, then the plat will be considered to meet all applicable regulations, approval will be recommended, and the item may be placed on a consent agenda of the Planning Commission.

2. If a plat does not meet all applicable regulations, the plat will be denied, except that readily verifiable conditions may be attached to preliminary approval, the satisfaction of which becomes a prerequisite for final approval.

Plat Approval Conditions Staff recommends approval with the following conditions:

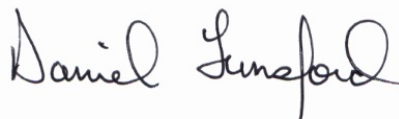
Specific conditions to Case 25P-029:

1. The applicant shall accommodate the filing of the plat by February 19, 2026;
2. The applicant shall satisfy all easement and right of way abandonments per Centerpoint Energy, and the City shall be provided with documents affirming these abandonments for record prior to plat filing;
3. A minimum 35' wide access easement running parallel to the southernmost property lines of Seabird Estates Lots 20-26 and connecting to the existing north-south access easement shall be provided on the final replat.

Standard conditions:

4. The applicant shall conform to all comments/conditions received from City Departments and private utilities. 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 plat; and
5. 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.

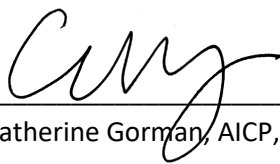
Respectfully Submitted,



Daniel Lunsford, Planning Manager

August 13, 2025

Date



Catherine Gorman, AICP, Assistant Director/HPO

August 13, 2025

Date

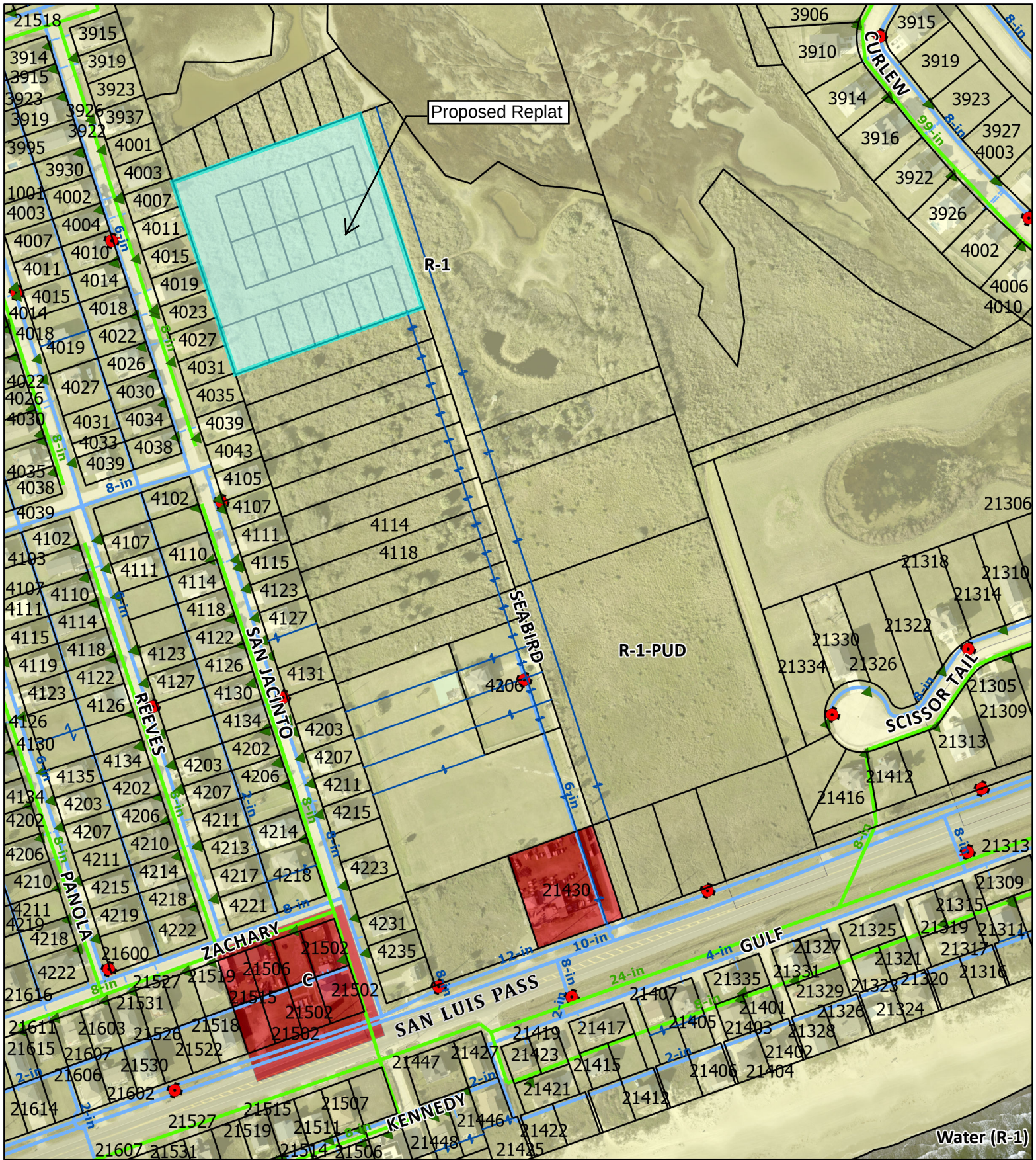
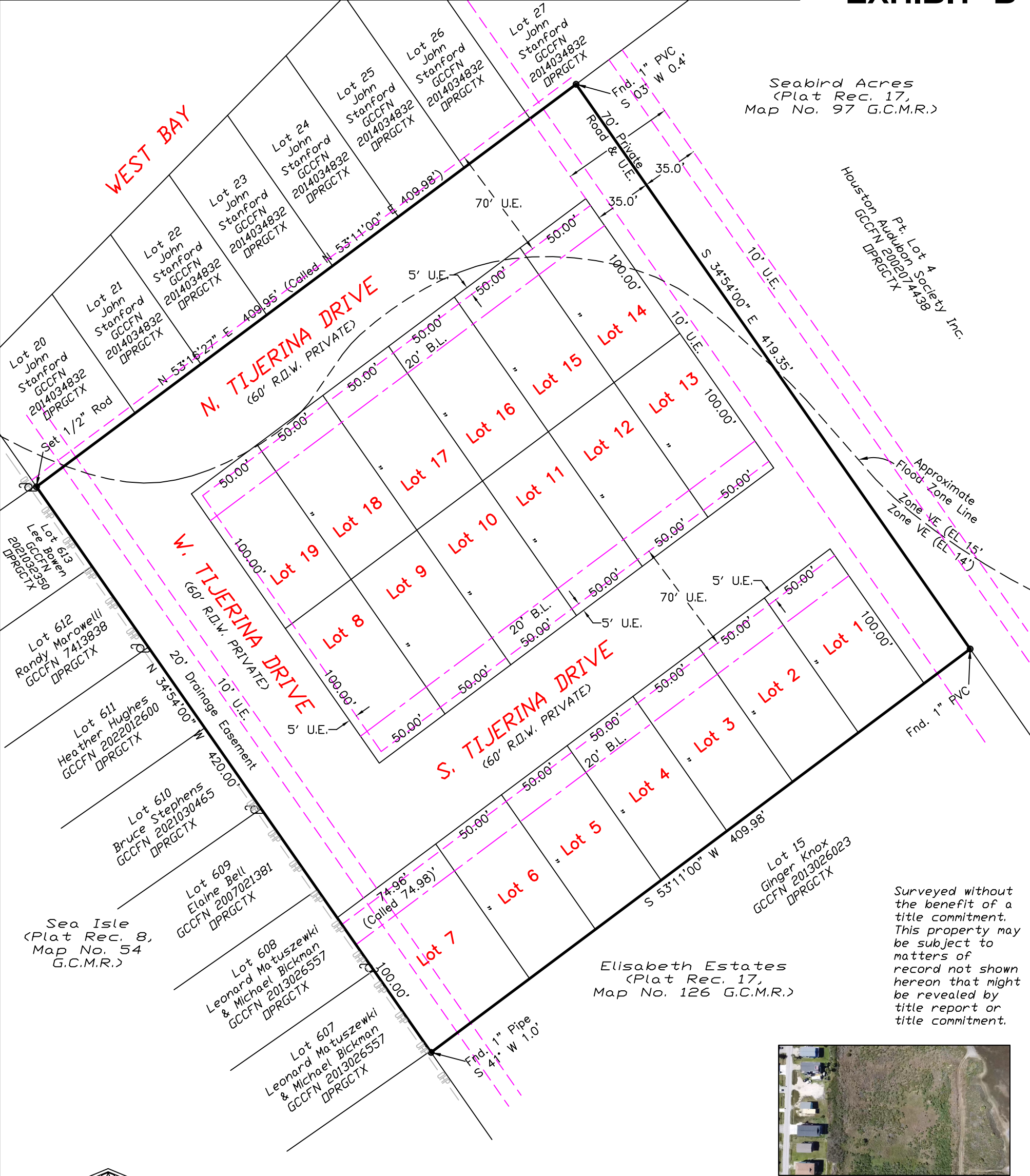
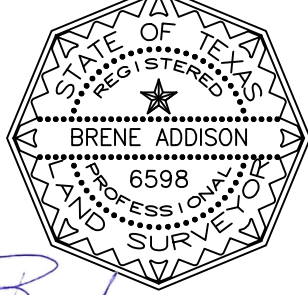


EXHIBIT A

300 150 0 300 Feet

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.




Brene Addison
Registered Professional
Land Surveyor No. 6598

Survey of Lots One (1) through Nineteen (19), inclusive, together with the Private Roadways, of ELISABETH ESTATES, SECTION TWO (2), a replat of Lot 16 of Elisabeth Estates Subdivision out of Lot 5 of Seabird Acres Subdivision out of the East One-half (1/2) of Section 12, of the Hall and Jones Survey of Galveston Island, Galveston County, Texas, according to the map or plat thereof recorded in Volume 18, Page 142, of the Map Records of Galveston County, Texas.

I hereby certify that on the above 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.

NOTES:
1) This property is subject the zoning ordinances and/or the building regulations of the City of Galveston. All building setback lines and easements shown are per recorded plat and/or recorded restrictions. If none shown, it is the property owners responsibility to confirm any setback requirements with City of Galveston.
2) This property lies within Zone VE (EL 14' & 15') as established by the FEMA Flood Insurance Rate Map No. 48167C0493G, dated August 15, 2019.
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 record, as shown on plat of Elisabeth Estates, Section 2, based on the monumentation of the East line of Elisabeth Estates (Plat Rec. 17, Map No. 126), being a found 3/4 inch rod at the Southeast corner of Lots 15 and 12.
5) There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent to the 10 foot utility easements.

Legend:

- OHP Overhead Power
- Chain Link Fence
- Wood Fence
- Concrete

TRICON LAND SURVEYING, LLC

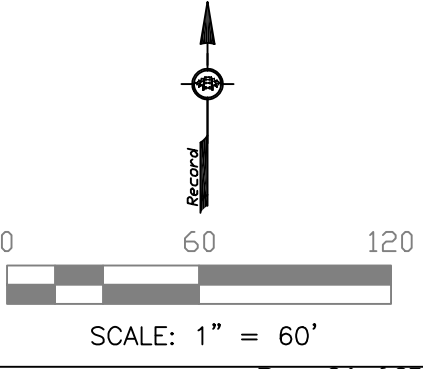
Mailing: 6341 Stewart Rd. #251
Physical: 2011 59th Street
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.E.L.S. Firm No. 10194309

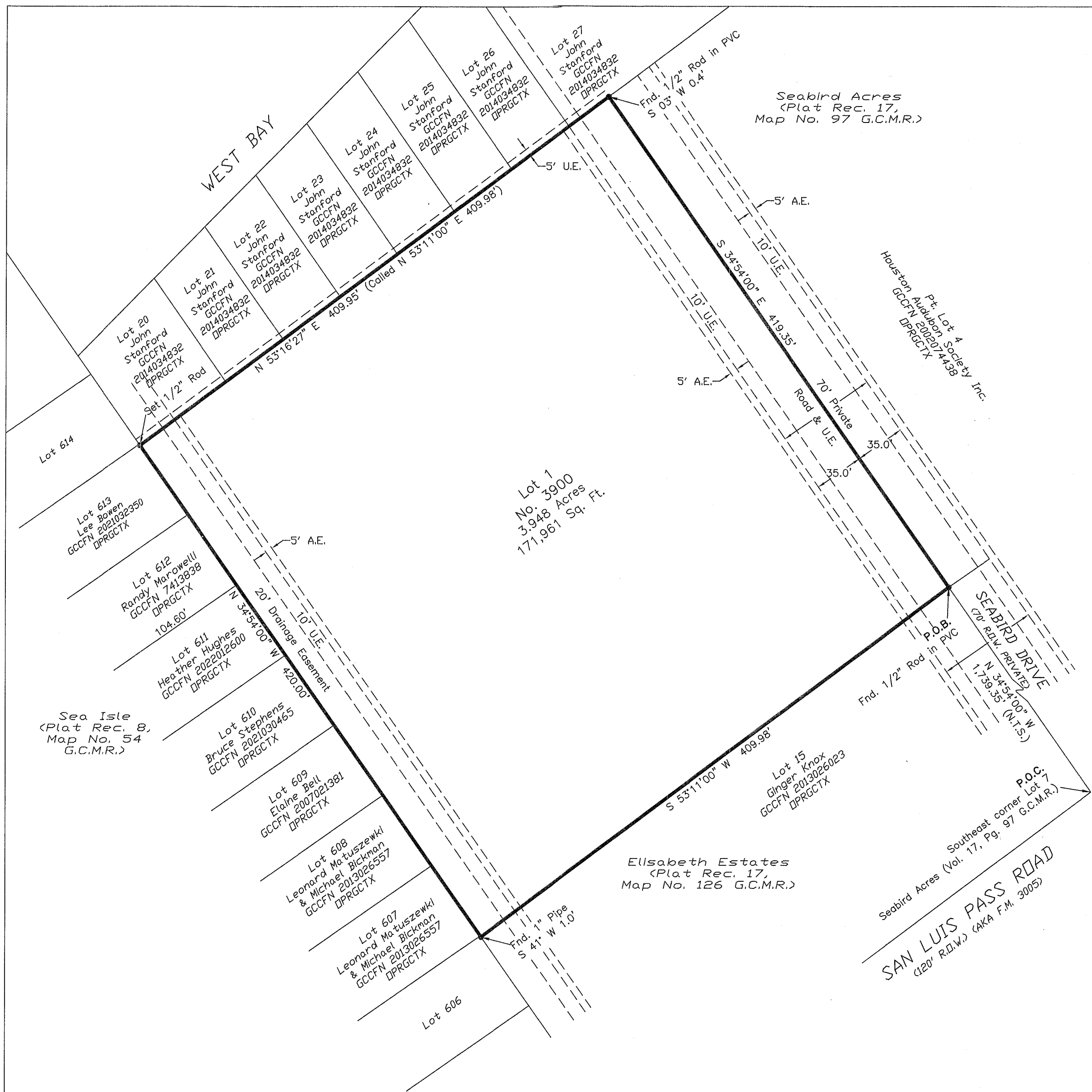
Drafting: JA

Surveyed for:
Shawn Lynch



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.





PROPERTY DESCRIPTION

Being Lots One (1) through Nineteen (19), inclusive, together with the Private Roadways, of ELISABETH ESTATES, SECTION TWO (2), a replat of Lot 16 of Elisabeth Estates Subdivision out of Lot 5 of Seabird Acres Subdivision out of the East One-half (1/2) of Section 12, of the Hall and Jones Survey of Galveston Island, Galveston County, Texas, according to the map or plat of said Elisabeth Estates, Section 2 as recorded in Volume 18, Page 142, of the Map Records of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the Southeast corner of Lot 7, of Seabird Acres, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 17, Page 97 in the Map Records of Galveston County, Texas, being in the North right-of-way line of San Luis Pass Road (120' R.O.W. - AKA F.M. 3005);

THENCE North 34° 54' 00" West, along the centerline of Seabird Drive (70' Private R.O.W.), a distance of 1,739.35 feet to the PLACE OF BEGINNING and being the Southeast corner of said Elisabeth Estates, Section 2, same being the Southeast corner of the herein described tract, a found 1/2 inch rod in PVC;

THENCE South 53° 11' 00" West, along the South line of said Elisabeth Estates, Section 2, a distance of 409.98 feet to the Southwest corner of said Elisabeth Estates, Section 2 and being the Southwest corner of the herein described tract, a found 1 inch pipe, bearing S 41° W a distance of 1.0 foot;

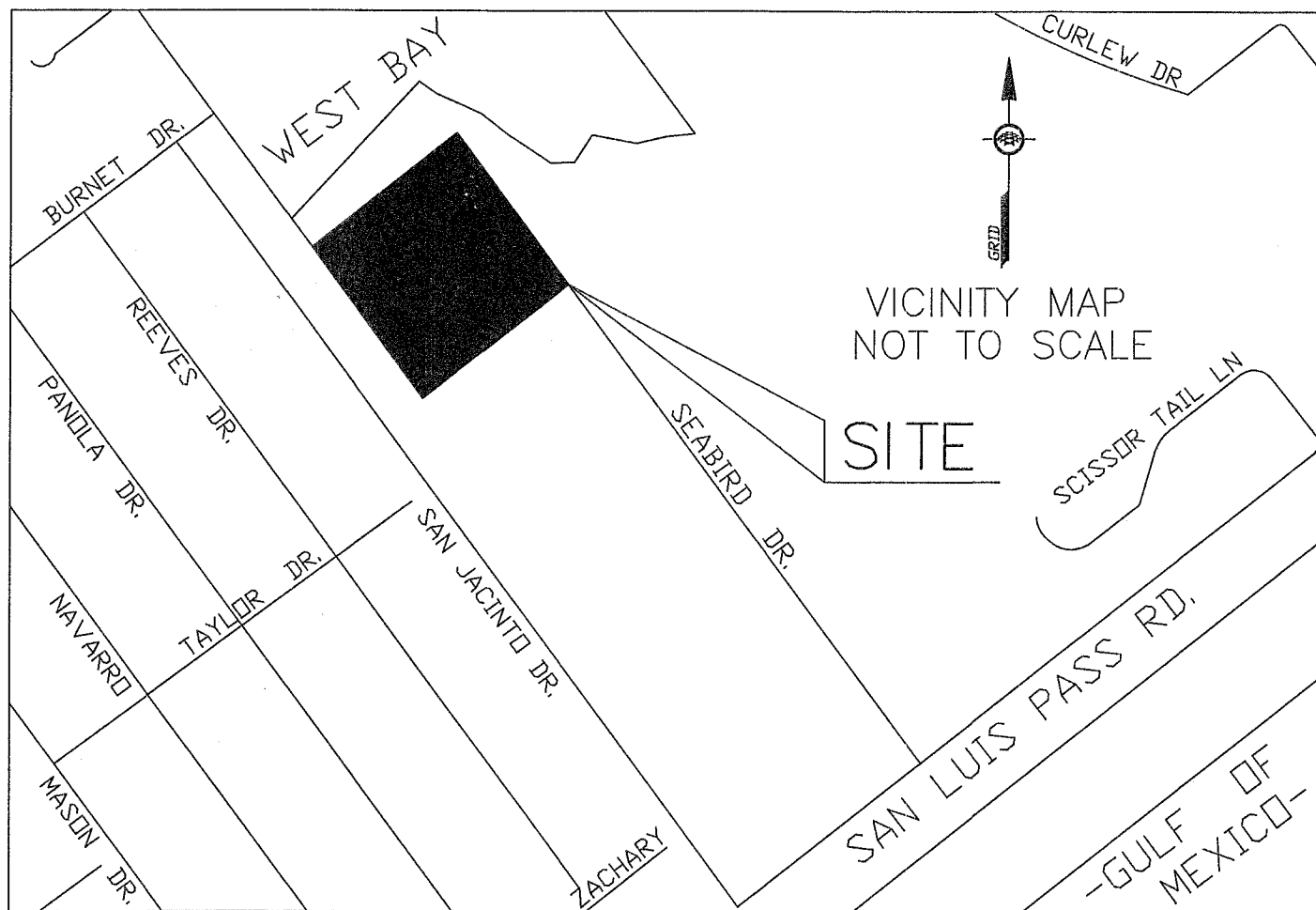
THENCE North 34° 54' 00" West, along the West line of said Elisabeth Estates, Section 2, a distance of 420.00 feet to the Northwest corner of the herein described tract, a set 1/2 inch rod;

THENCE North 53° 16' 27" East (Called North 53° 11' 00" East), along the North right-of-way line of North Tijerina Drive (60' R.O.W. Private), a distance of 409.95 feet (Called 409.98 feet) to the Northeast corner of the herein described tract, a found 1/2 inch rod in PVC, bearing S 03° W a distance of 0.4 feet;

THENCE South 34° 54' 00" East, along the centerline of a 70' Private Road and Utility Easement (Volume 18, Page 142 G.C.M.R.) and the East line of said Elisabeth Estates, Section 2, a distance of 419.35' feet to the PLACE OF BEGINNING and containing 3.948 acres (171,961 square feet) of land, more or less.

LEGEND

- Easement Line
- A.E. Aerial Easement
- S.S.E. Sanitary Sewer Easement
- W.L.E. Water Line Easement
- N.T.S. Not To Scale
- GCCFN Galveston County Clerk's File No.
- OPRGCTX Official Public Records Galveston County, Texas.



This Subdivision plat in the City of Galveston, Galveston County, Texas, as set forth on this plat, has been approved by the Galveston Planning Commission on this _____ day of _____, 2025.

Secretary _____ Chairperson _____
Galveston Planning Commission Galveston Planning Commission

THE STATE OF TEXAS {} KNOW ALL MEN BY THESE PRESENTS
COUNTY OF GALVESTON {}

I, Dwight D. Sullivan, County Clerk, Galveston County Texas, do hereby certify that the written instrument was filed for record in my office on _____, 2025, at _____ O'clock, _____m, and duly recorded on _____, 2025, at _____ O'clock, _____m, Instrument # _____, Galveston County records.

Witness my hand and seal of office, at Galveston, Texas, the day and date last above written

Dwight D. Sullivan, County Clerk
Galveston County, Texas

By _____ Deputy

THE STATE OF TEXAS {} KNOW ALL MEN BY THESE PRESENTS
COUNTY OF GALVESTON {}

That I, Shawn Lynch, President, KSL Development, LLC, being the owner of those certain tracts or parcels of land, lying and being situated in the City of Galveston, in Galveston County, Texas, subdivided in the above and foregoing plat do hereby make subdivision of said property according to the lines and lots shown thereon, and designate said subdivision as "ELISABETH ESTATES, SECTION 2, PARTIAL REPLAT", in the City and County of Galveston, Texas.

Shawn Lynch, President
KSL Development, LLC

THE STATE OF TEXAS {} KNOW ALL MEN BY THESE PRESENTS
COUNTY OF GALVESTON {}

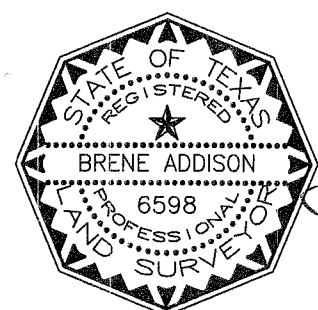
BEFORE ME, the undersigned authority, on this day personally appeared Shawn Lynch, known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed and in the capacity therein and herein set forth.

WITNESS MY HAND AND SEAL OF OFFICE this 9th day of July, 2025.

Notary Public for the State of Texas
My Commission Expires January 7, 2026

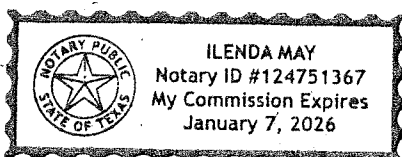
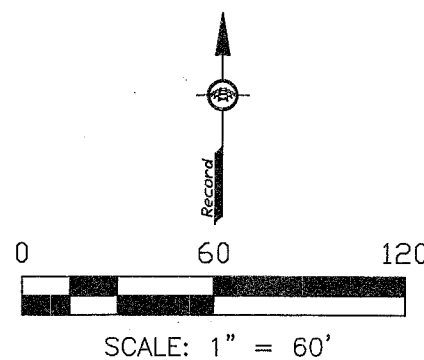
- NOTES:
- 1) This property is subject to the zoning ordinances and/or the building regulations of the City of Galveston.
 - 2) This property lies within Zone VE (EL 14' & 15') as established by the FEMA Flood Insurance Rate Map No. 48167C04936, dated August 15, 2019.
 - 3) This property is subject to 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 record, as shown on plat of Elisabeth Estates, Section 2, based on the monumentation of the East line of Elisabeth Estates (Plat Record 17, Map Number 126), being a found 3/4 inch rod at the Southeast corner of Lots 15 and 12.
 - 5) This property lies within the incorporated boundaries of the City of Galveston.
 - 6) All utilities shall be relocated as needed to avoid crossing platted property lines.

This is to certify that I, Brene Addison, a Registered Professional Land Surveyor for the State of Texas, have platted the above and foregoing subdivision and replat from an actual survey on the ground and under my direction and that all corners have been, or will be, properly monumented.



Brene Addison
Registered Professional
Land Surveyor No. 6598

TRICON
LAND
SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.E.L.S. Firm No. 10194309
T.L.S. Job #25-0117



ELISABETH ESTATES, SECTION 2, PARTIAL REPLAT

A REPLAT OF LOTS 1 THROUGH 19
AND PRIVATE ROADWAYS,
ELISABETH ESTATES, SECTION 2
VOLUME 18, PAGE 142 G.C.M.R.
CITY AND COUNTY OF GALVESTON, TEXAS

1 LOT - 3.948 Acres - 171,961 Sq. Ft.

JULY 7, 2025

EXHIBIT C

Owners:
KSL Development, LLC

Surveyor: Brene Addison
Registered Professional Land Surveyor No. 6598