

**NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
PLANNING AND ZONING COMMISSION**

NOTE: *One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.*

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**THURSDAY, SEPTEMBER 21, 2017
3:00 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

1. Call to Order.
2. Pledge of Allegiance.
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to Commissioners relating to agenda or non-agenda items. Speakers are required to address Commissioners at the podium and give their name before addressing their concerns. [Note: State law will not permit the Planning and Zoning Commission to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Planning and Zoning Commission meeting]*
4. Approval of the July 20, 2017 regular meeting minutes.
5. Public hearing and discussion/action regarding the designation of certain beach and submerged land areas – east of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard) – from District "B" Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district to District "PBN" Padre Boulevard North Character Zone.
6. Public hearing and discussion/action regarding a specific use permit for a private (commercial) fishing pier at East Tract 17, Padre Beach Estate Subdivision and submerged lands belong to the Texas General Land Office.
7. Public hearing and discussion/action regarding the proposed replat of "Lots 17 and 18, Block 74, Padre Beach, Section VI" to subdivide them into "Lots 17A, 17B, 18A and 18B".
8. Discussion and action regarding the proposed replat of "Lots 1-6, 33-38, Block 97, Padre Beach Section VII" to merge them into "Lot 1A".
9. Discussion and action regarding the proposed replat of "Lots 11 and 12, Block 75, Padre Beach, Section VI" to merge them into "Lot 11A".
10. Adjournment.

DATED THIS THE 15TH DAY OF SEPTEMBER 2017


Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED THAT THE ABOVE NOTICE OF REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **SEPTEMBER 15, 2017** AT/OR BEFORE **5:00 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.




Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

<p style="text-align: center;">MINUTES CITY OF SOUTH PADRE ISLAND PLANNING AND ZONING COMMISSION REGULAR MEETING</p>

THURSDAY, JULY 20, 2017

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Regular Meeting on Thursday, July 20, 2017 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Patrick McNulty called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Gary Olle, Chris Huffman, Norris Fletcher, and Kimberly Dollar. Member with an excused absence was Robert Bujanos. Member with an unexcused absence was Art Teniente

City staff members present were Development Director Sungman Kim and Administrative Assistant Marta Martinez.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

Public comments and announcements were given at this time.

IV. APPROVAL OF THE JUNE 22, 2017 SPEICAL MEETING MINUTES.

Commissioner Member Dollar made a motion, seconded by Commission Member Fletcher to approve as submitted, which carried on a 4 to 1 vote with Commissioner Member McNulty abstaining from the vote.

V. PUBLIC HEARING & DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOTS 30A AND 30B, BLOCK 110, PADRE BEACH, SECTION VIII”, TO MERGE THEM INTO “LOT 30”.

At 3:04 p.m., Chairman McNulty opened the Public Hearing.

Proponents: Davenport – Lot 5 Block 109

Opponents: None

Chairman McNulty closed the Public Hearing at 3:05 p.m.

Commissioner Member Olle made a motion, seconded by Commissioner Member Dollar to approve replat of Lot 30 Block 110 Padre Beach, Section VIII. Motion passed unanimously.

VI. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF “LOT 2 BLOCK 1, SEA TURTLE SUBDIVISION”.

Commissioner Dollar made a motion, seconded by Commissioner Member Olle to approve the replat with the condition that the application submits all required documentation. Motion passed unanimously.

VII. ADJOURNMENT

There being no further business, Mr. McNulty adjourned the meeting at 3:13 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: September 21, 2017

ITEM: 5

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

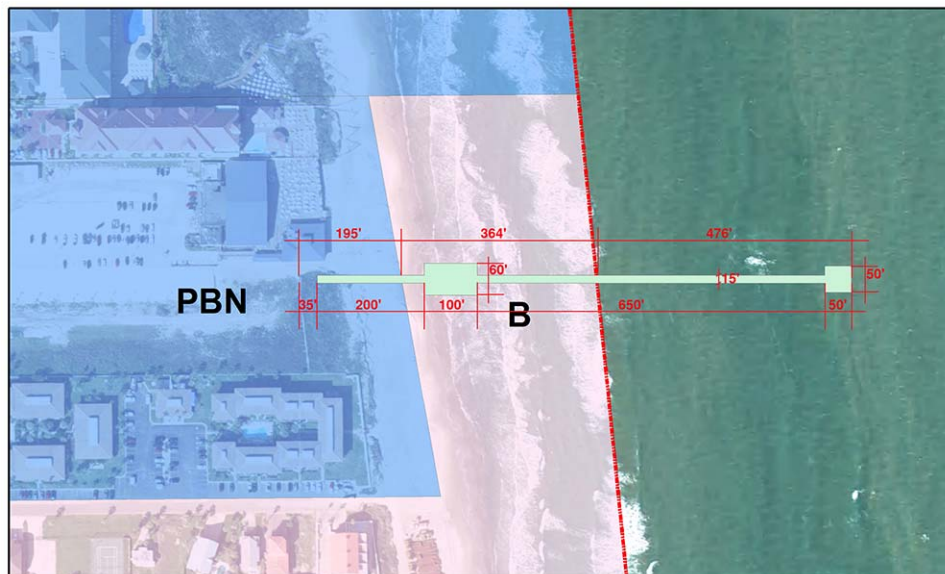
Public hearing and discussion/action regarding the designation of certain beach and submerged land areas – east of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard) – from District "B" Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district to District "PBN" Padre Boulevard North Character Zone.

DISCUSSION:

The Issue

Recently, Army Corps of Engineers, Texas General Land Office, Shoreline Task Force and the City Council approved the construction of Clayton's Fishing Pier.

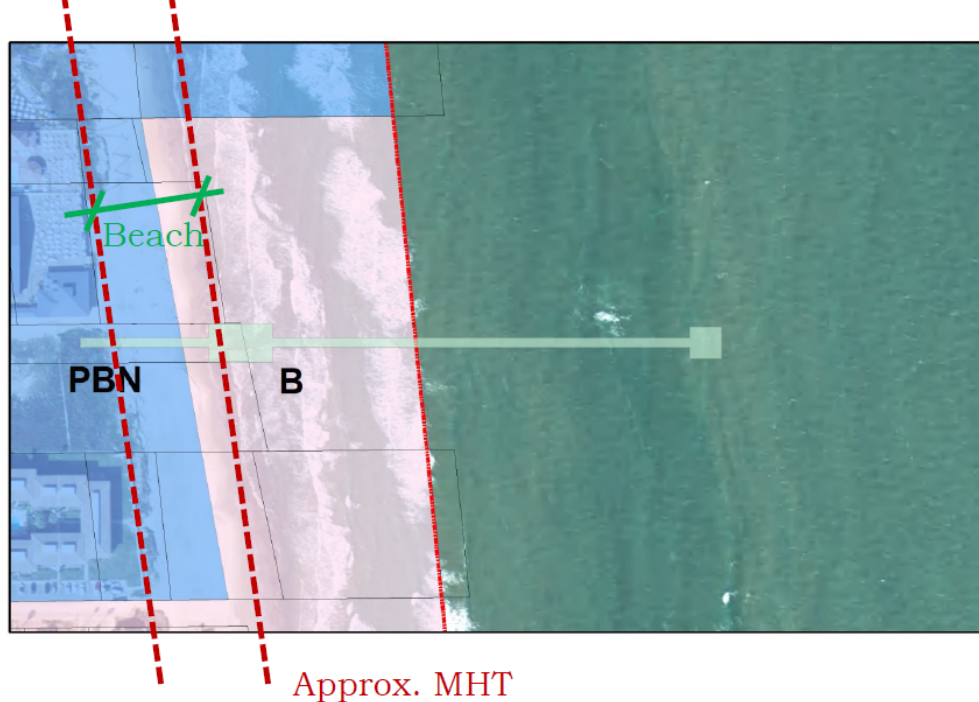
The owner, Clayton Brashear, proposes a private commercial use of the pier. Large portion of water properties have been zoned for District "B" that allows multi-family dwelling, apartment, motel, hotel, condominium and townhouse uses. District "B" however does not allow commercial for a primary use.



More specifically, current zoning map shows large coverage of PBN over beach areas and District "B" over water areas, and does not allow commercial activities at the proposed concession area over water.

PLANNING & ZONING COMMISSION AGENDA REQUEST FORM

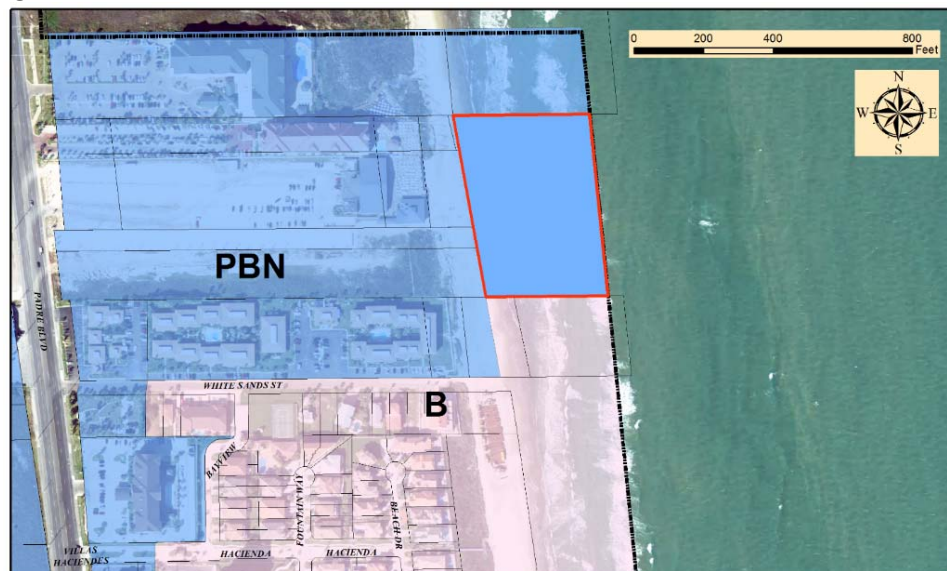
Building Line



Rezoning

The subject properties, occupied by La Quinta Inn & Suites, Clayton's Beach Bar, Clayton's Fishing Pier (mostly parking spaces in this case) and Marriott, have already been zoned for PBN in the past through the Form-Based Code, and extension of the PBN designation toward east will provide a partial solution to the issue.

The reason to include other areas than what is required for Clayton's Fishing Pier is to avoid an instance of spot zoning.



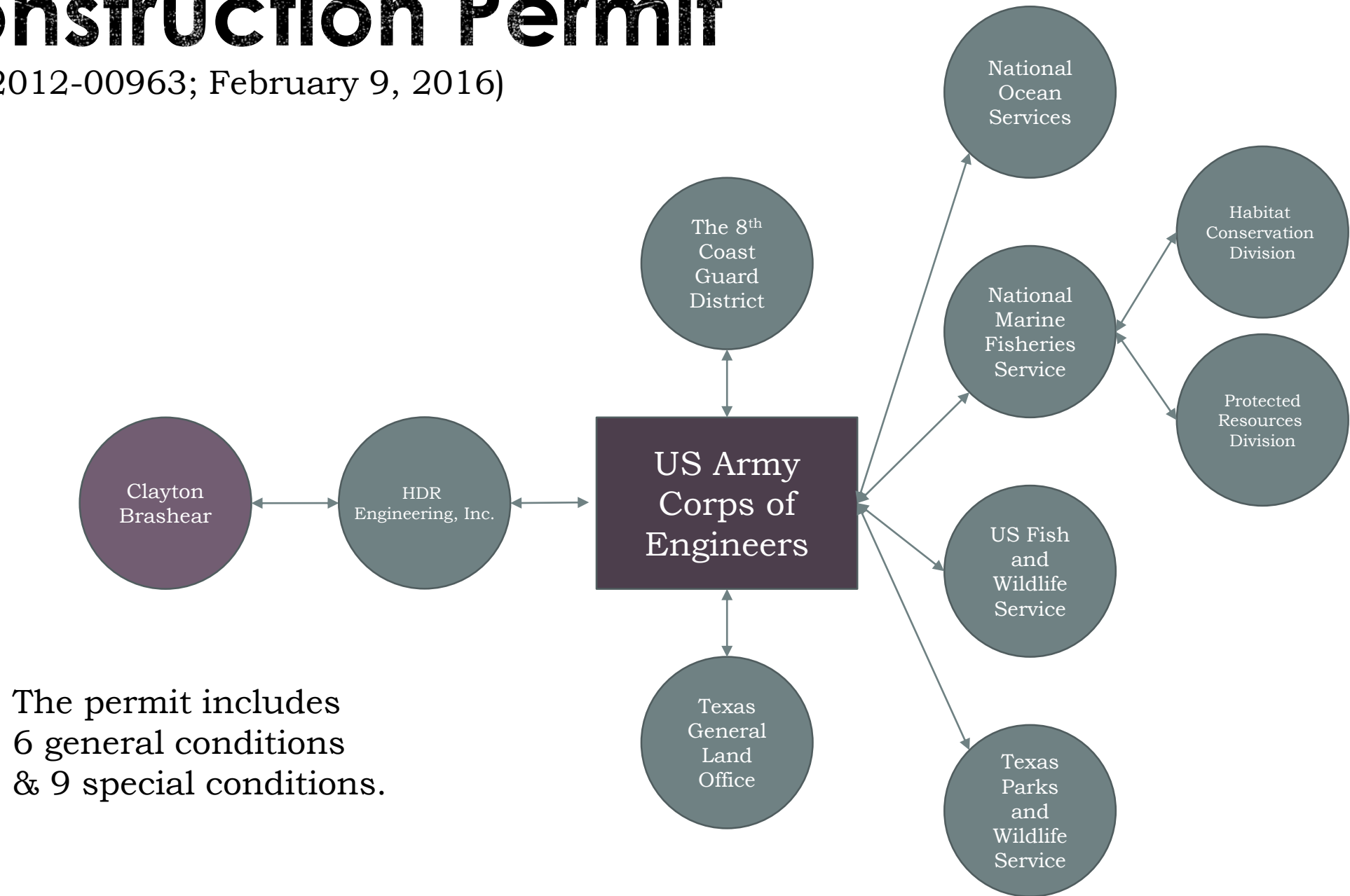
Rezoning

Discussion & Action Regarding Designation of Certain Beach and Submerged Land Areas: East of La Quinta, Clayton's Bar, Fishing Pier & Court Yard Marriott.



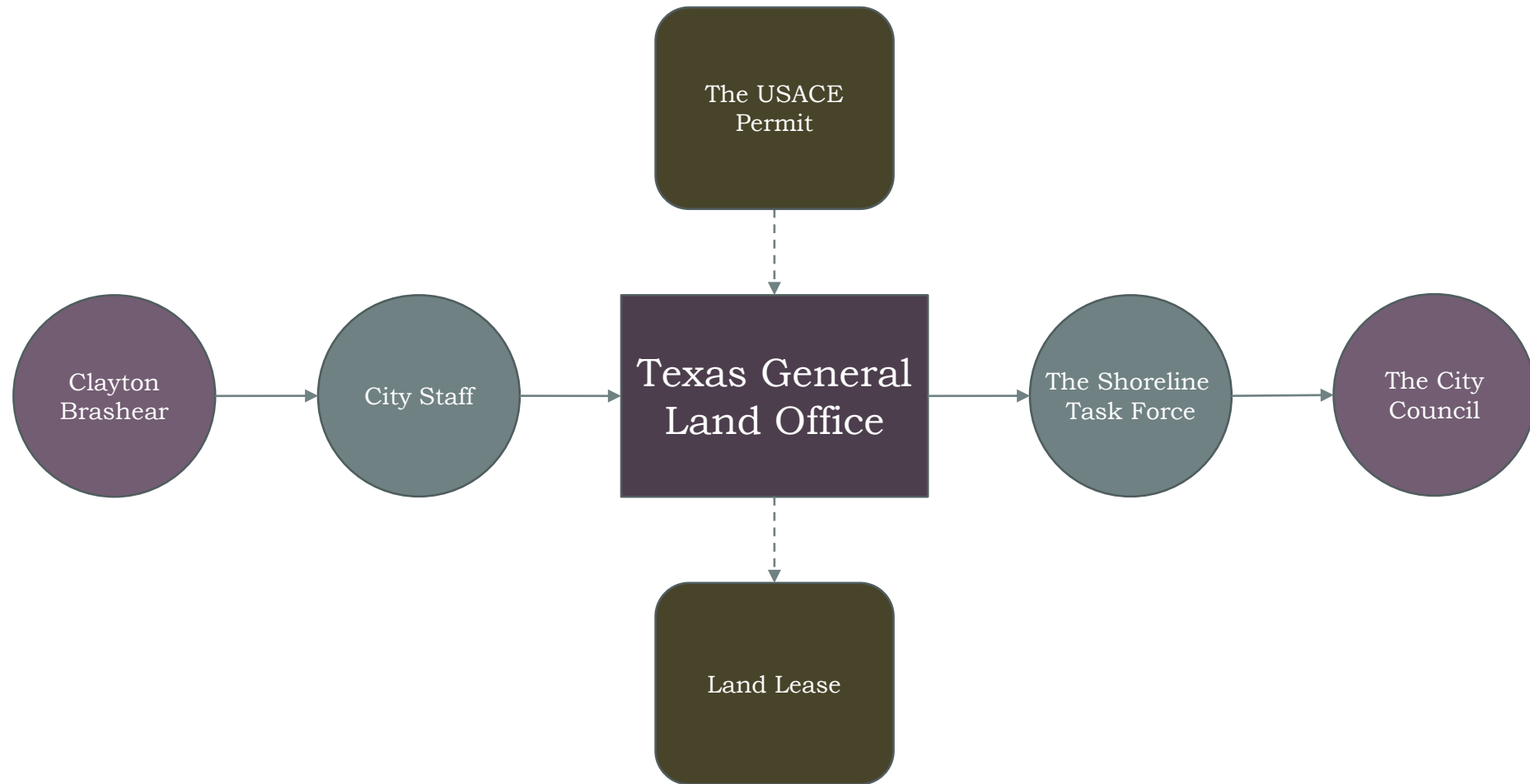
Construction Permit

(SWG-2012-00963; February 9, 2016)



Beach & Dune Protection Permit

(BDSPI-17-0068; June 7, 2017)





This notice of authorization must be
conspicuously displayed at the site of work.

United States Army Corps of Engineers

2000 Fort Belvoir Road
Galveston, TX 77555

2016

A permit to construct a pier

at 6800 Padre Boulevard, South Padre Island, Cameron County, Texas

has been issued to Clayton Brashear on 9 Feb. 20 16

Address of Permittee 6800 Padre Blvd., South Padre Island, TX 78597

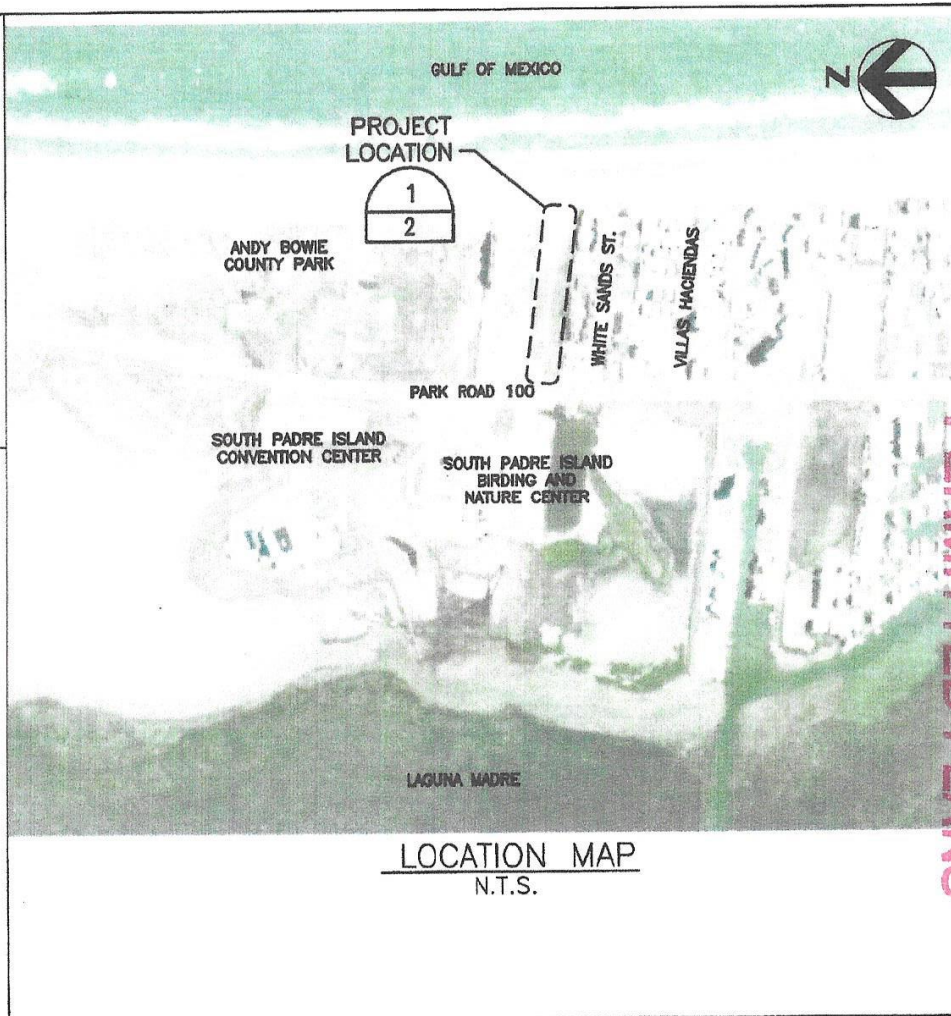
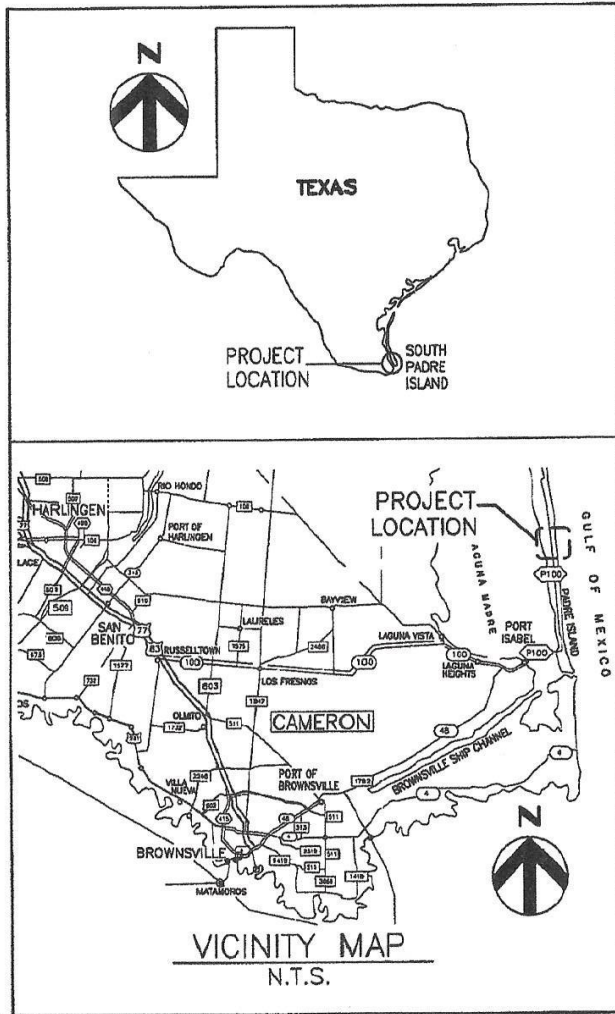
Permit Number

SWG-2012-00963

District Commander

Matthew Kimmel

for COL. RICHARD P. PANNELL



SWG-2012-00963

PERMITTED PLANS

Sheet 1/4
SWG-2012-00963



PROJECT TITLE CLAYTON'S BEACH BAR AND GRILL

SHEET TITLE
CONSTRUCT WOODEN ELEVATED PIER

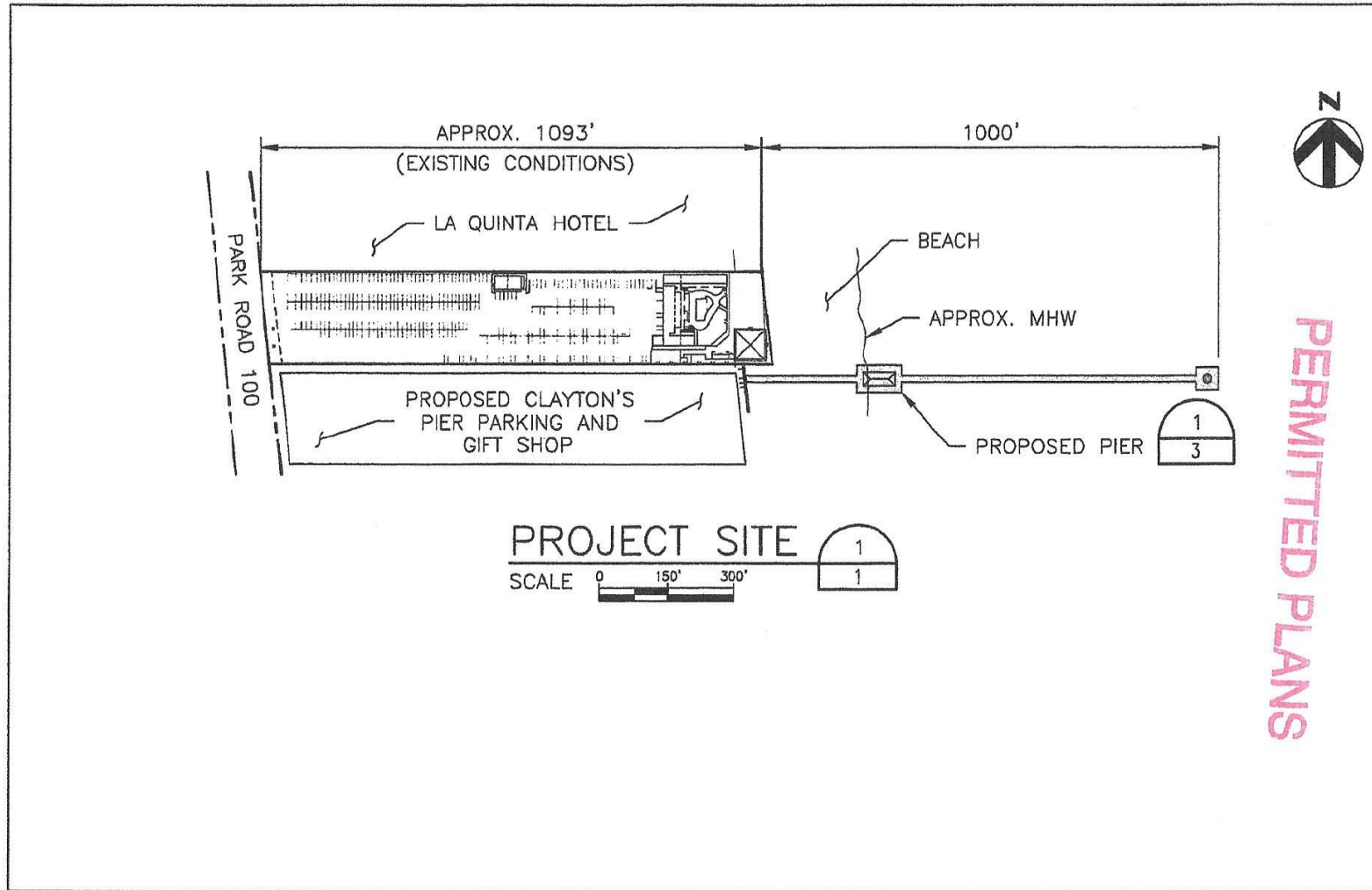
PROJECT NUMBER
194870
PROJECT MANAGER

DATE
05/13/15

REFERENCE SHEET
REFERENCE DOCUMENT
SHEET NUMBER

1 of 4





SWG-2012-00963

SWG-2012-00963
Sheet 2/4

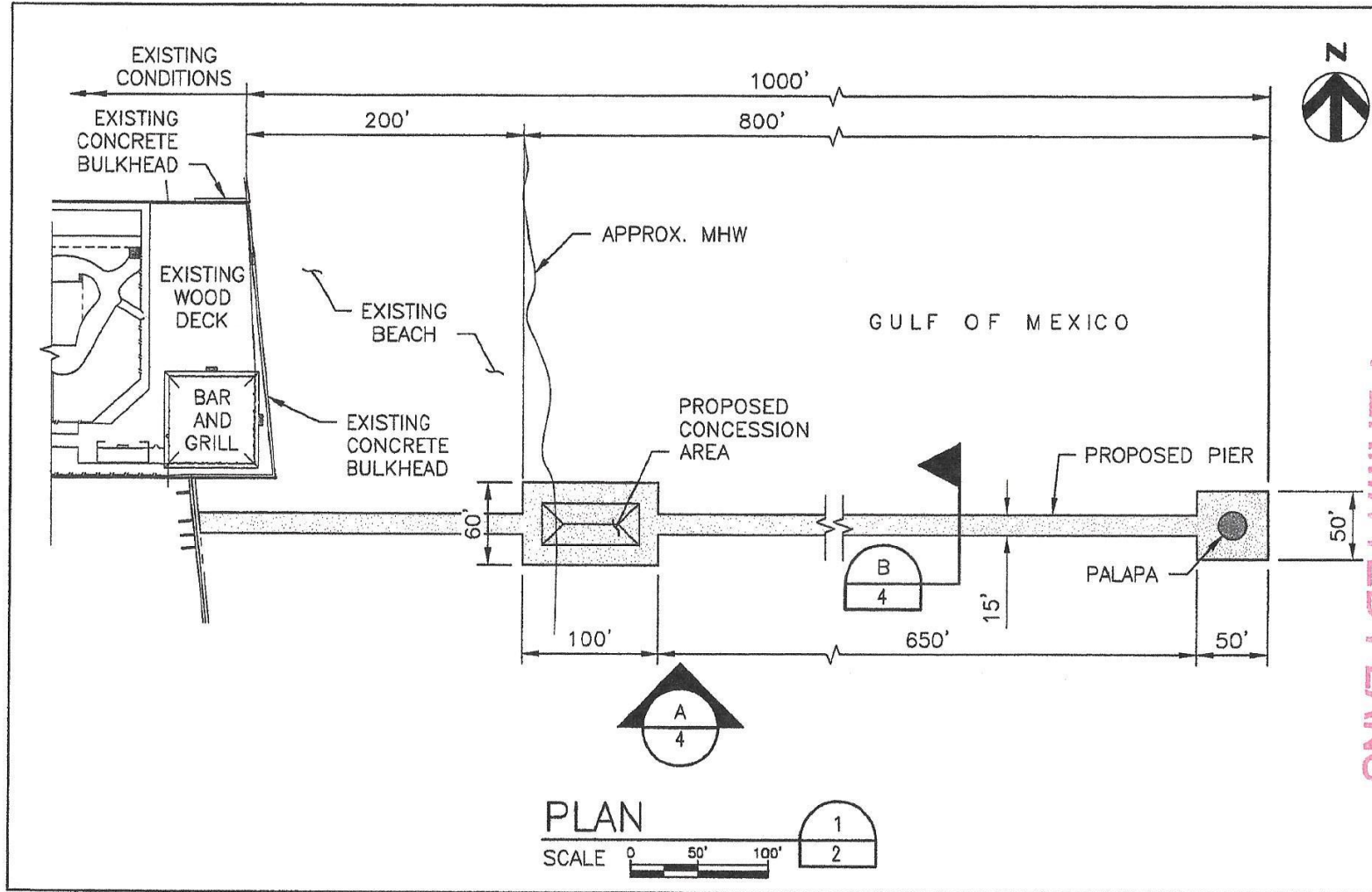


PROJECT TITLE **CLAYTON'S BEACH BAR AND GRILL**
SHEET TITLE **CONSTRUCT WOODEN ELEVATED PIER**

PROJECT NUMBER
194870
PROJECT MANAGER

DATE
05/13/15

REFERENCE SHEET
REFERENCE DOCUMENT
SHEET NUMBER
2 of 4



SWG-2012-00963

PERMITTED PLANS

Sheet 3/4
SWG-2012-00963

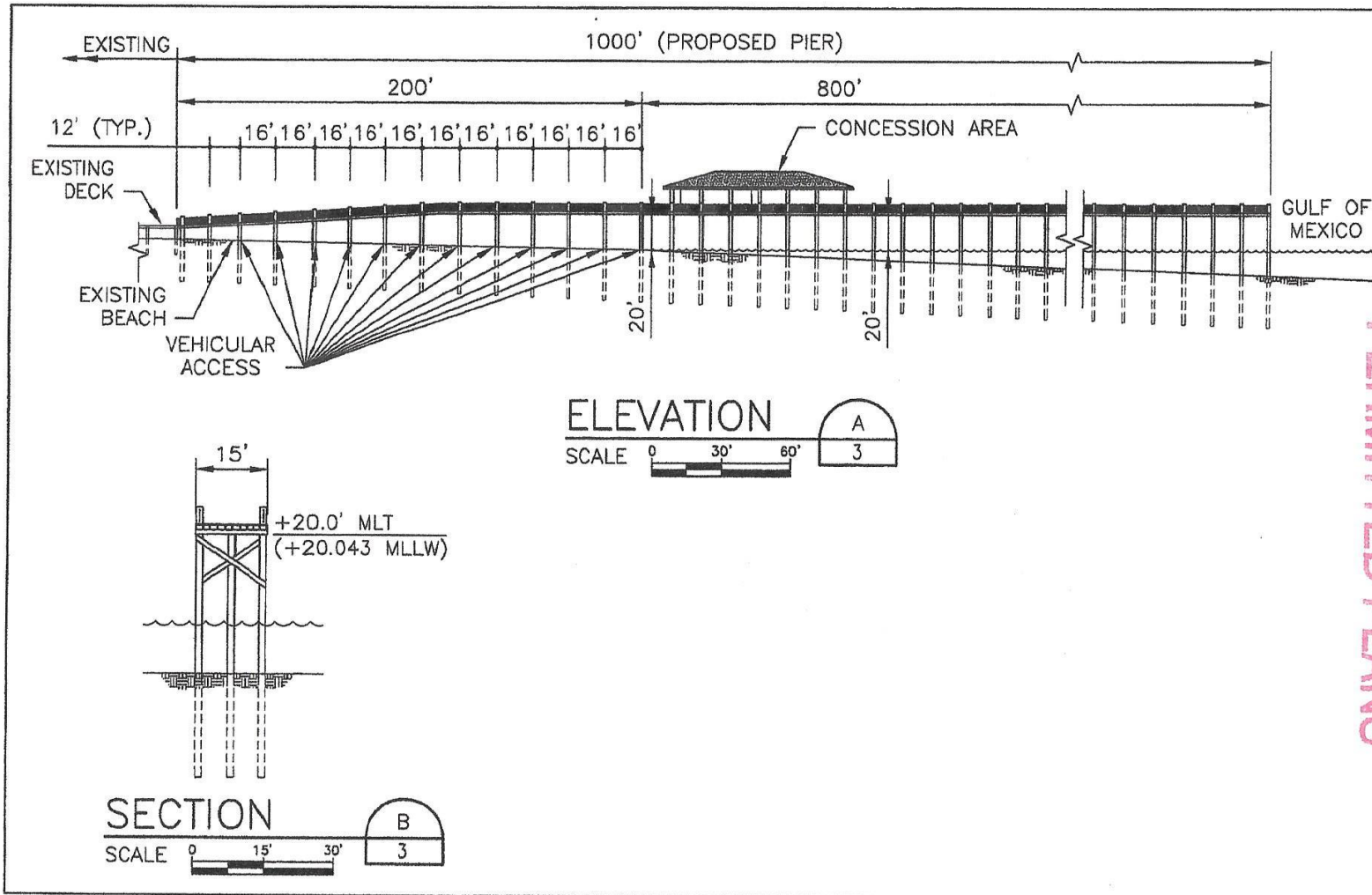


PROJECT TITLE **CLAYTON'S BEACH BAR AND GRILL**
SHEET TITLE **CONSTRUCT WOODEN ELEVATED PIER**

PROJECT NUMBER **194870**
PROJECT MANAGER
DATE **05/13/15**

REFERENCE SHEET
REFERENCE DOCUMENT
SHEET NUMBER **3 of 4**





PERMITTED PLANS

SWG-2012-00963

Sheet 4/4
 SWG-2012-00963
HDR
 Texas P.E. Firm
 Registration No. F-754

PROJECT TITLE CLAYTON'S BEACH BAR AND GRILL

SHEET TITLE
CONSTRUCT WOODEN ELEVATED PIER

PROJECT NUMBER
 194870

PROJECT MANAGER

DATE
 05/13/15

REFERENCE SHEET

REFERENCE DOCUMENT

SHEET NUMBER
 4 of 4



Rezoning (Use)

- The owner, Clayton Brashear, proposes a commercial use of the Fishing Pier.
 - the use of the concession



Chapter 20 Zoning

- Cumulative, not separative.
- Veranda Condominium Case (2015).

DISTRICT A
•Single Family

DISTRICT E
•District A
•Townhouse

DISTRICT B-2
•District E
•Multi-Family
•Apartment
•Condominiums
•Incidental Uses

DISTRICT B
•District B-2
•Hotel/Motel
•Condominiums,
Hotels, and motels
with more than 12
units may have
included bars, food
establishments,
barber shops,
beauty parlors.
•Private Clubs,
Lodges, Church,
School.

DISTRICT C
•District B
•Commercial
Businesses

DISTRICT D
•District C
•Resort Facilities

•Currently occupied
by:
•Convention Ctr.
•Birding & Nature
Ctr.

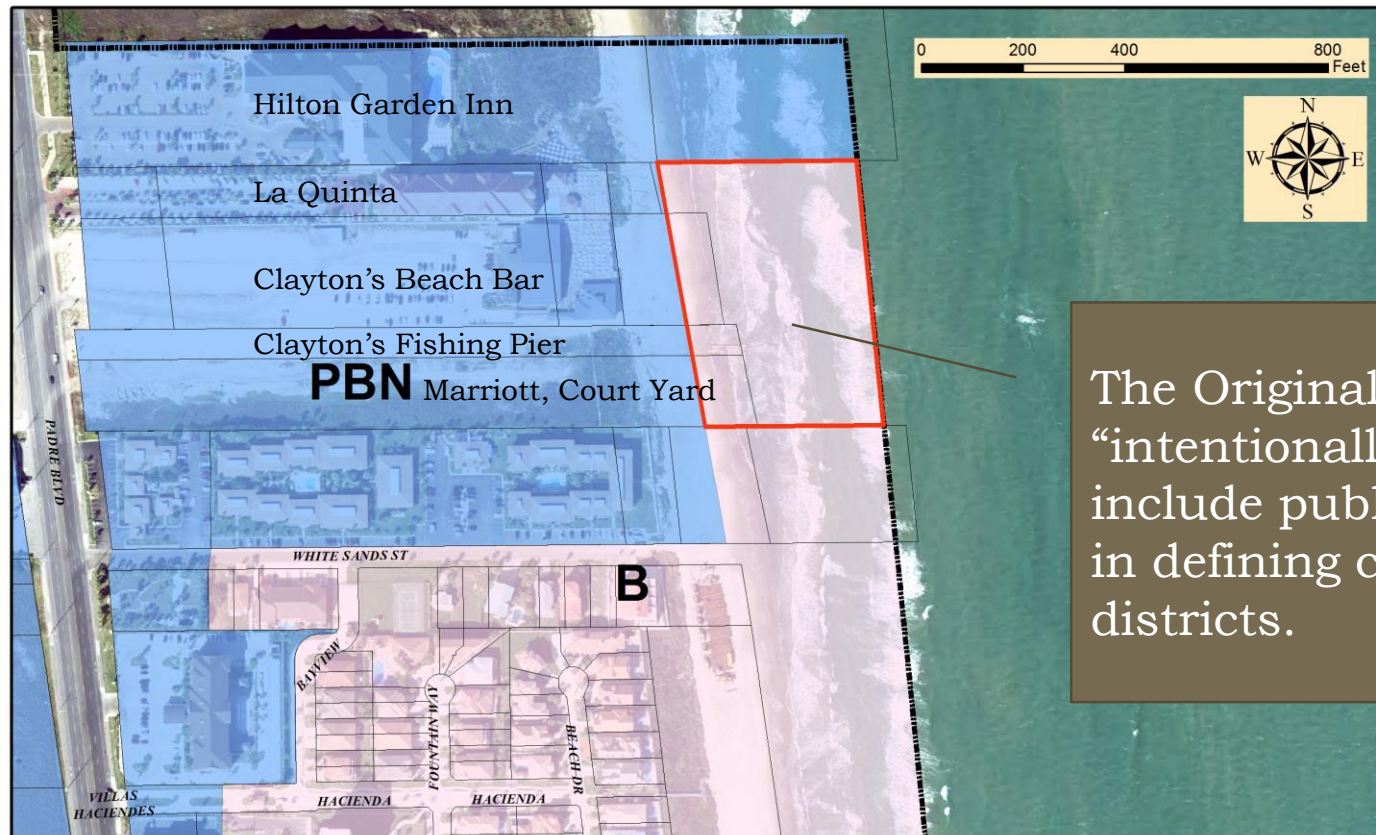
APPENDIX "Z"
PADRE BLVD AND
ENTERTAINMENT
DISTRICT CODE

DISTRICT D-1
•Residential &
Business Uses in
a Resort Setting.

DISTRICT D-2
•Park District
•Government
Properties.



Current Zoning

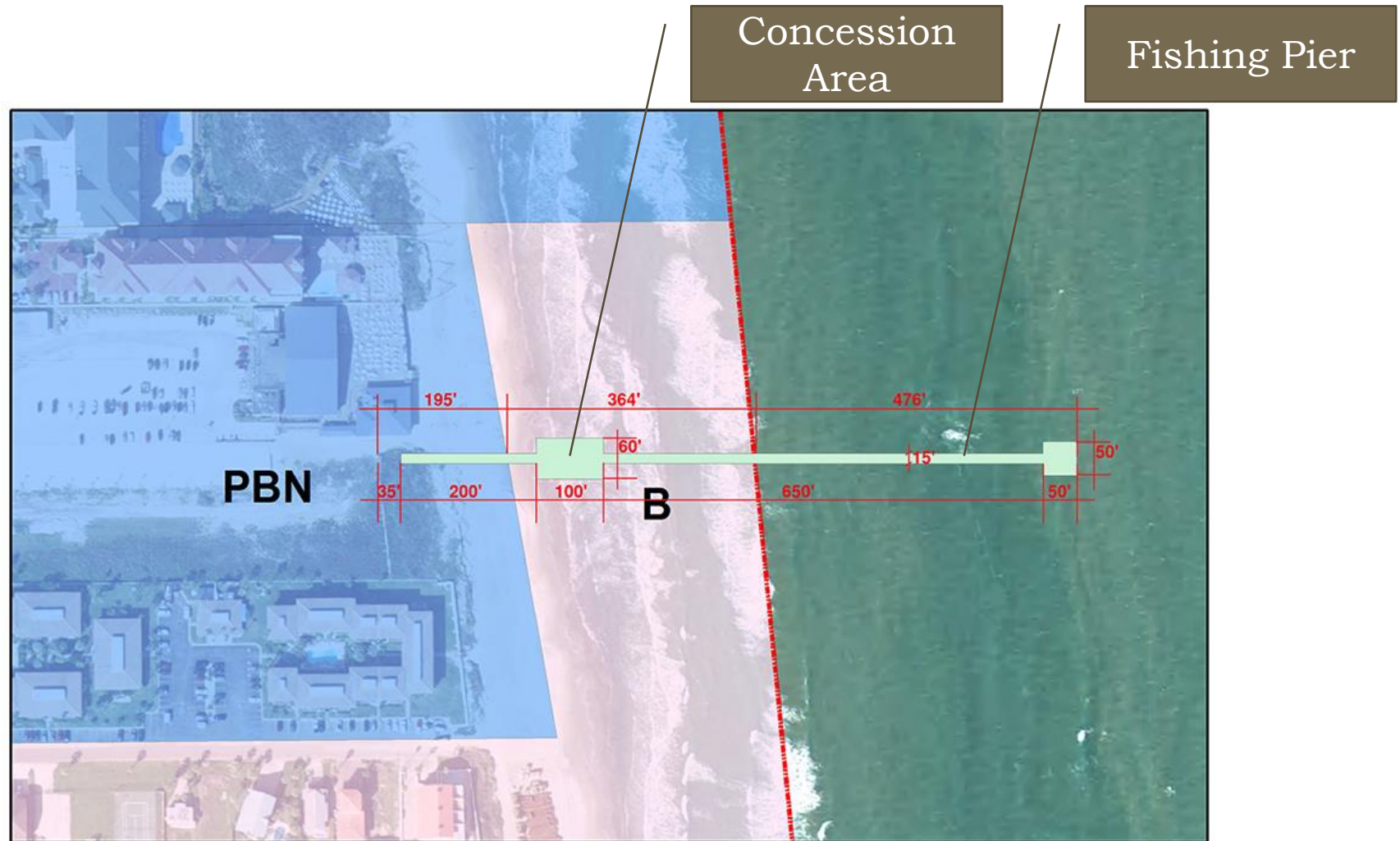


The Original FBC “intentionally” did not include public beach area in defining commercial districts.

District “B” - multi-family dwelling, apartment, motel, hotel, condominium and townhouse uses

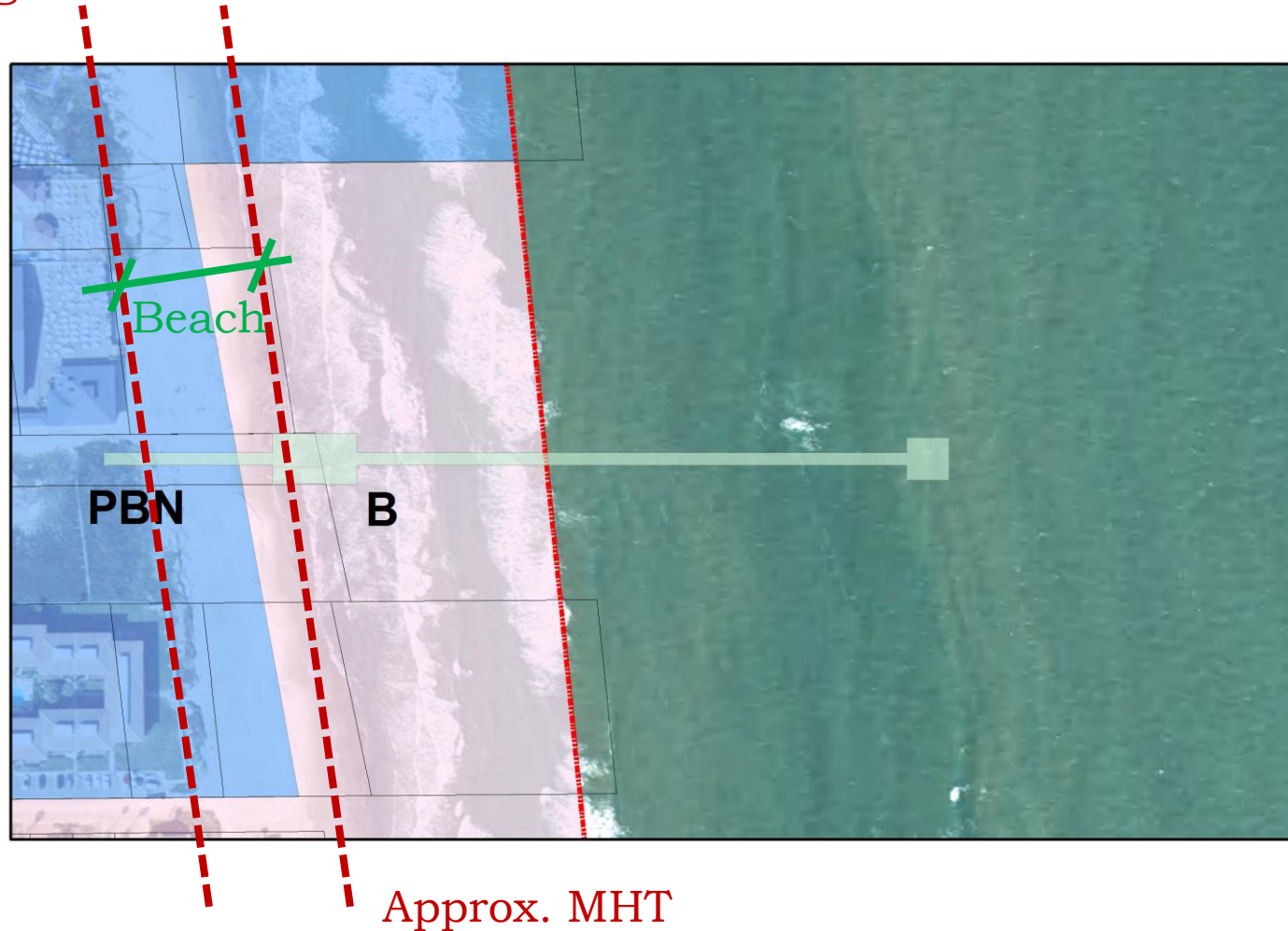


Proposed Uses

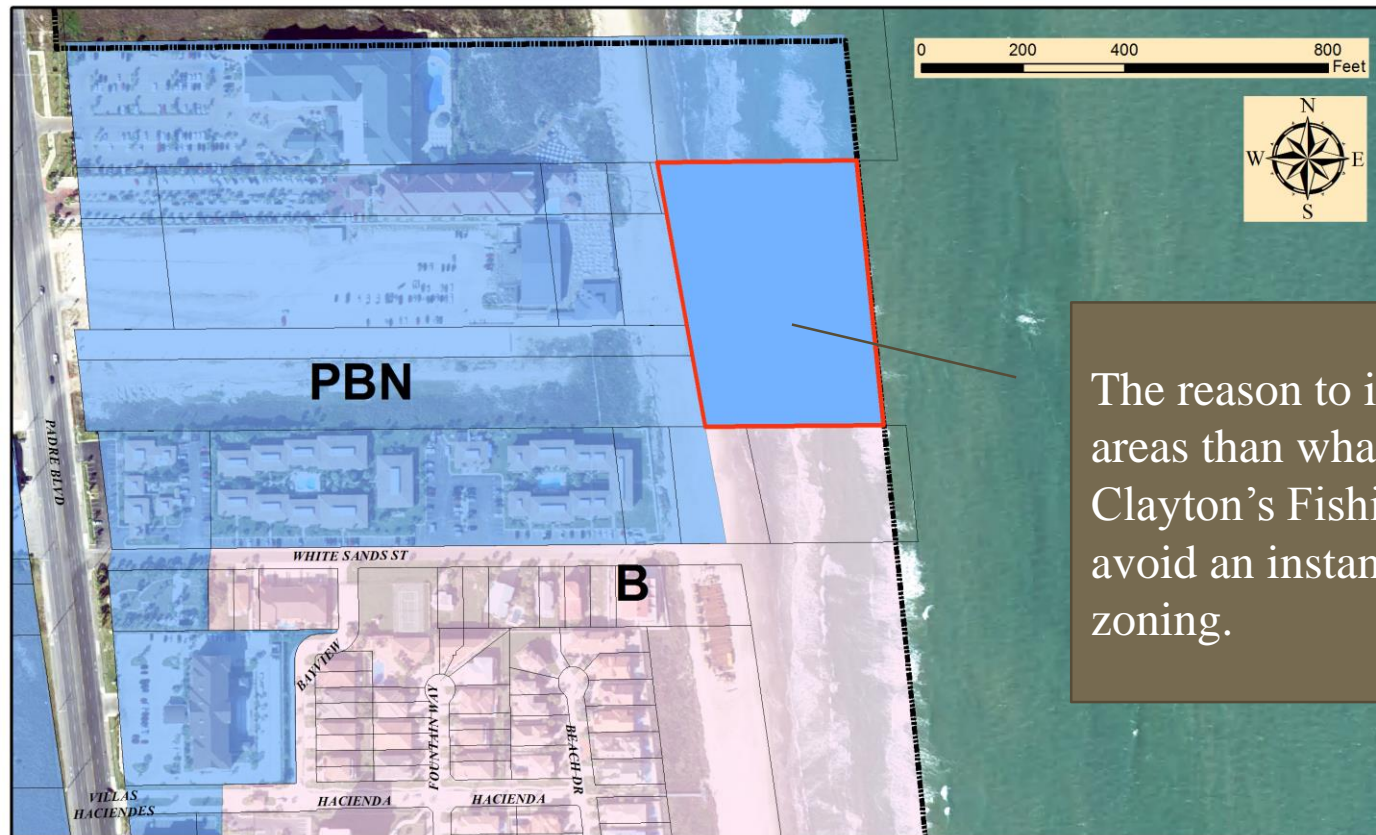


Location of the Pier Structure

Building Line



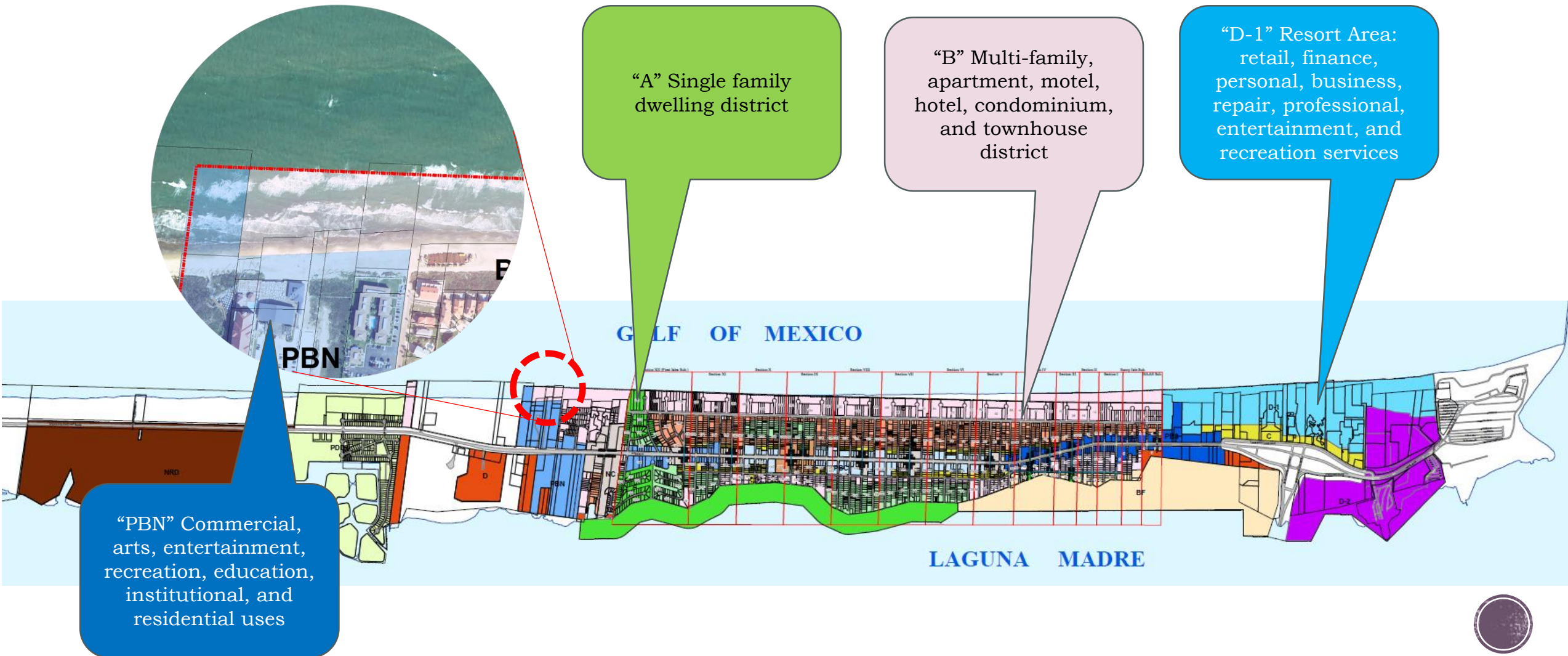
Proposed Rezoning



The reason to include other areas than what is required for Clayton's Fishing Pier is to avoid an instance of spot zoning.



Encroachment (?)

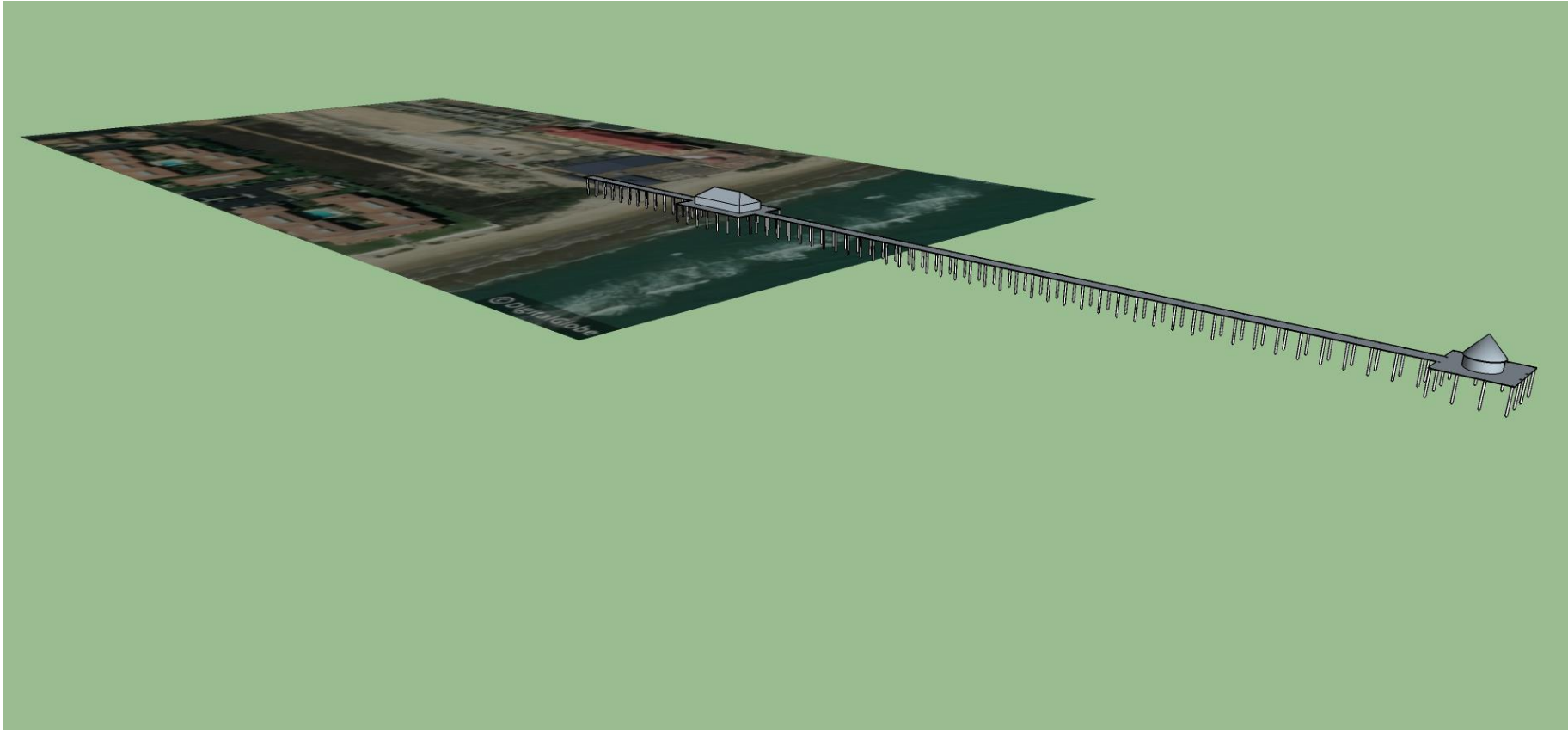


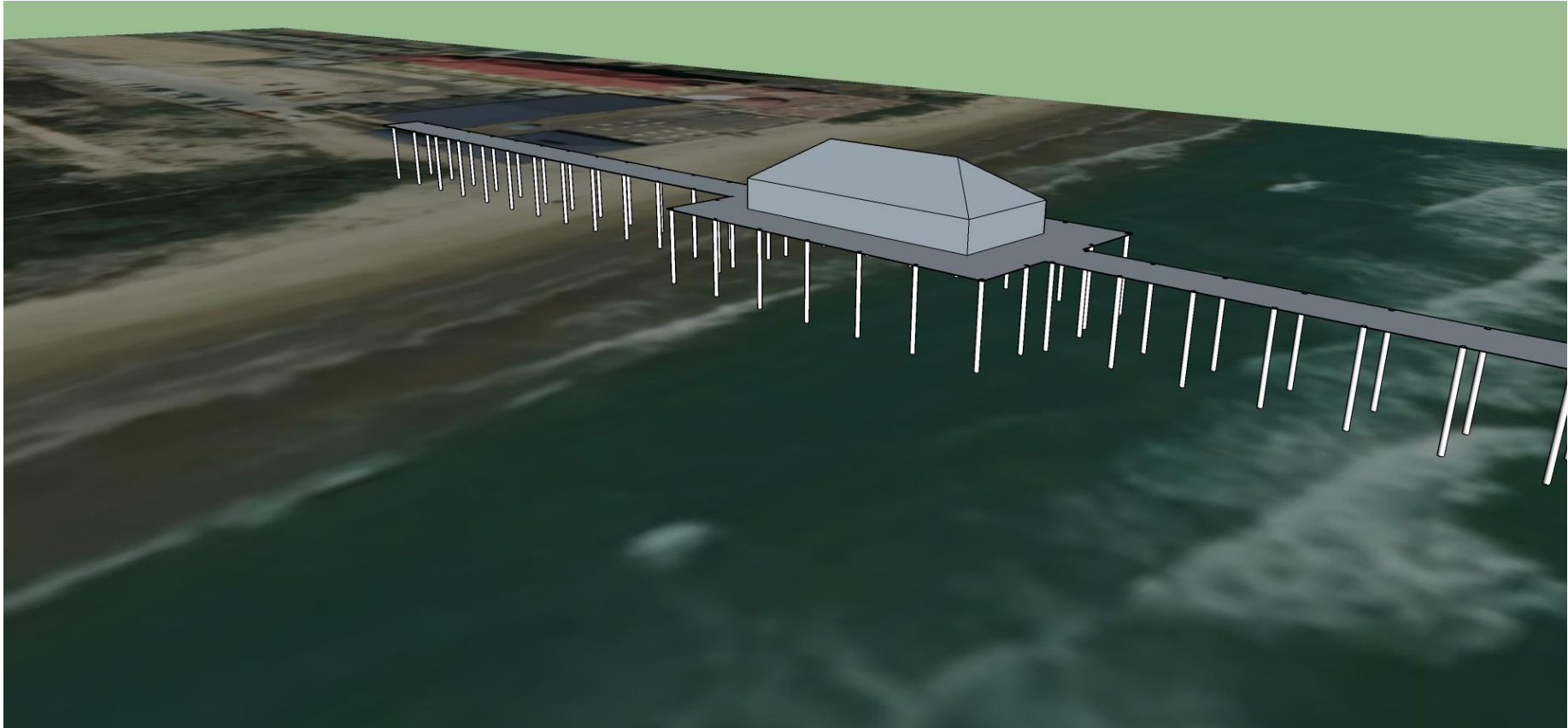
Other Regulations

- Sec.13-17 Beaches-Peddlers, commercial activity prohibited thereon.
All peddlers, vendors and other commercial activity **where people are contacted on the public beach** is hereby prohibited and no person may solicit or sell to people located on the public beaches within the City (*unless otherwise approved by Specific Use Permit*). (Ord. No. 82, 8-6-80)
- Sec.13-17.1 Food and beverage service to people on the Public Beach abutting the property
Beach front properties that hold a food establishment permit issued by the City **may serve food and beverage to people on the public beach** that abuts the property but such service may not impair the public right to use the public beach and such service will not be in violation of Sec.13-17.
- **This rezoning** does not directly impact on the use of the public beach.

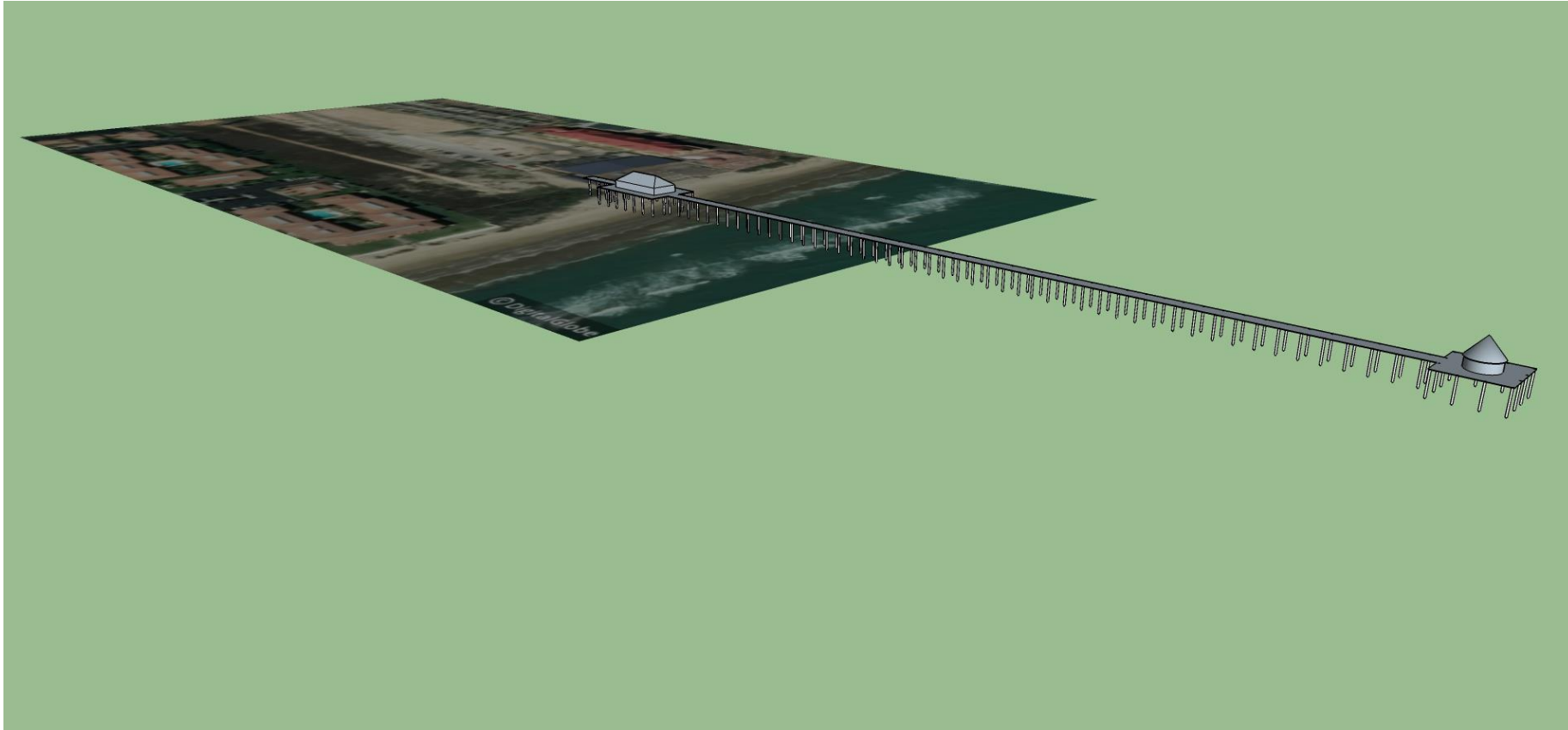


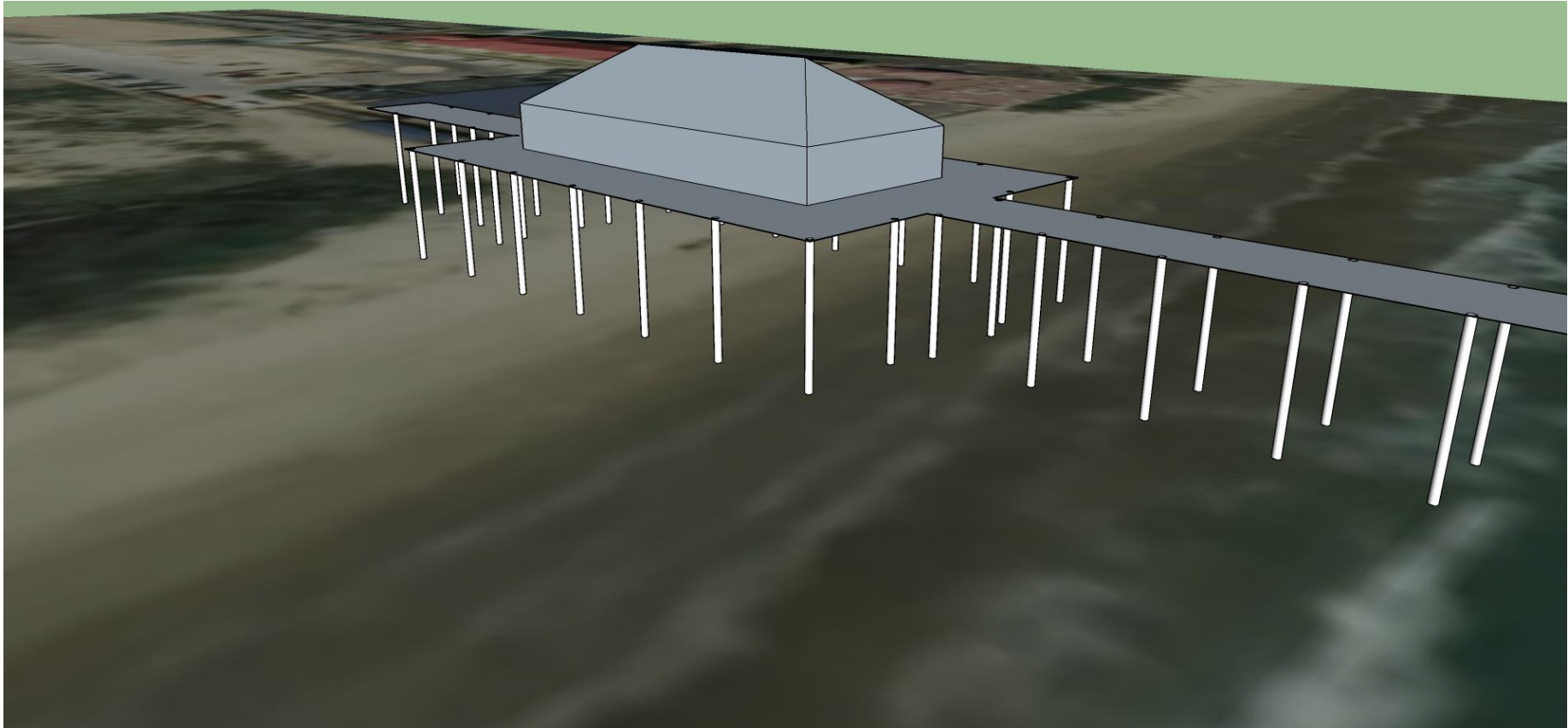
The Proposed:





If it moves to PBN (not recommended):





Objection Letters/Emails

- 18 received by September 12, 2017.



Staff Recommendation

- Staff recommends the Task Force approve the proposed Rezoning.
- The PBN designation will allow the use of a fishing pier through a specific use permit that will be discussed next.



DSRTF Recommendation

- Development Standards Review Task Force recommended the City Council deny the application: The motion received a majority (3 to 1).



ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, BY REZONING CERTAIN BEACH AND SUBMERGED LAND AREAS – EAST OF BLOCK 20, PADRE BEACH ESTATES SUBDIVISION (LA QUINTA INN & SUITES), CONTRAN SUBDIVISION LOT 2 (CLAYTON’S BEACH BAR), EAST TRACT 17, PADRE BEACH ESTATE SUBDIVISION (CLAYTON’S FISHING PIER), AND EAST TRACT 16, PADRE BEACH ESTATE SUBDIVISION (MARRIOTT, COURT YARD) – FROM DISTRICT “B” MULTI-FAMILY DWELLING, APARTMENT, MOTEL, HOTEL, CONDOMINIUM, TOWNHOUSE DISTRICT TO DISTRICT “PBN” PADRE BOULEVARD NORTH CHARACTER ZONE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR THE EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances and subsequently adopted Section 20-5 District Map to designate the “Zoning District Map”;

WHEREAS, the City Council of South Padre Island found that the certain beach areas have been zoned for District “B”, which allows mostly residential uses;

WHEREAS, It is intent of the City Council of South Padre Island to promote and support local businesses; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. That the Zoning District Map of the City of South Padre Island, Texas, be and the same is hereby designated as identified on the Zoning District Map that is attached as **Exhibit “A”**.

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand

Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 5. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of ____ 2017.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of ____ 2017.

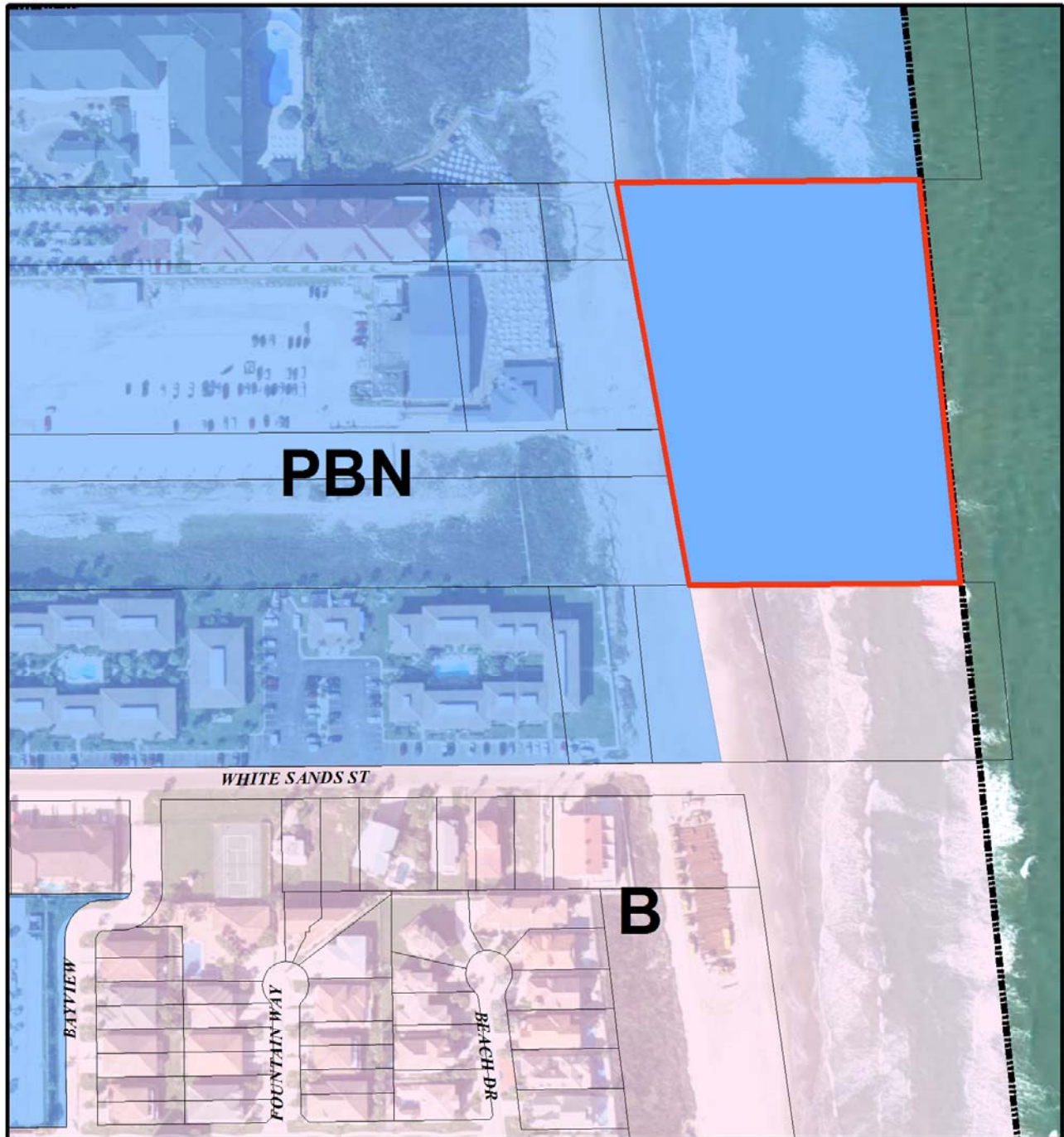
ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

BHARAT R. PATEL, MAYOR

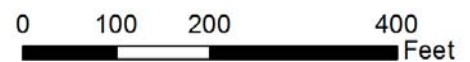
Exhibit "A"



REZONING

FROM: DISTRICT "B"

TO: PADRE BOULEVARD NORTH CHARACTER ZONE



Petition Letters/Emails Received by September 12, 2017 at 8:45 A.M.

1	Single Family	6505 Beach Drive
2		6409 Beach Drive
3		6412 Beach Drive
4		6401 Fountain Way
5		6518 Beach Drive
6		6518 Fountain Way
7		6504 Fountain Way
8		6508 Beach Drive
9		6506 Fountain Way
10		6400 Beach Drive
11	Las Villas	Unit 201
12		Unit 501
13		Unit 602
14		Unit 701
15		Unit 704
16		Unit 802
17		Unit 901
18		Unit 902



Las
Villas

PETITION TO THE CITY'S PLANNING AND ZONING COMMITTEE

I wish to voice my opposition to the proposed rezoning as stated below and hereby request the Planning and Zoning Committee to deny the request submitted by Mr. Brashear.

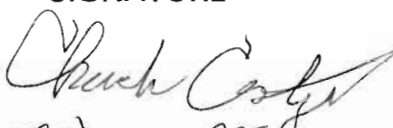
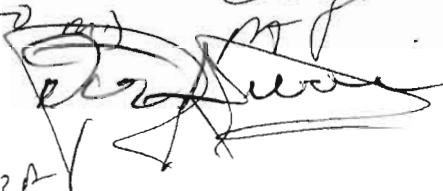
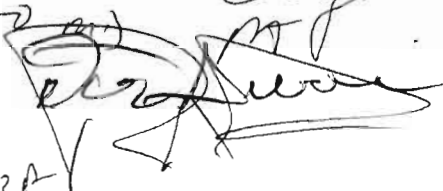
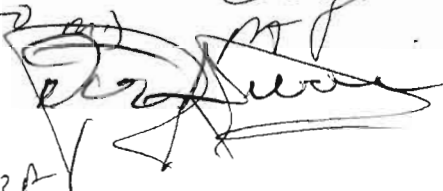
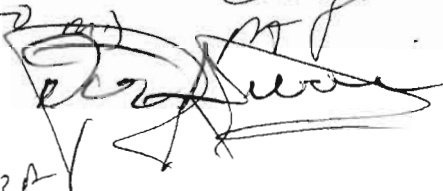
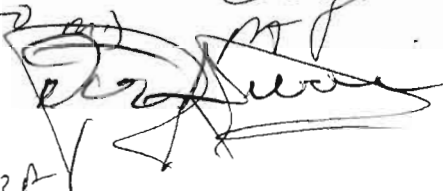
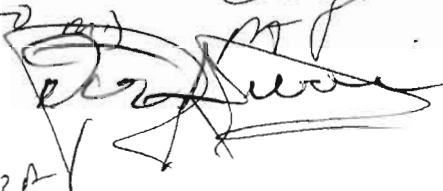
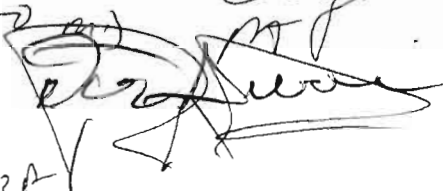
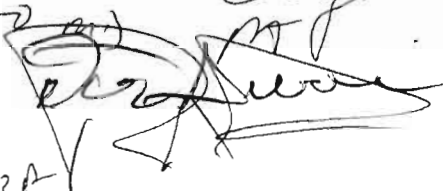
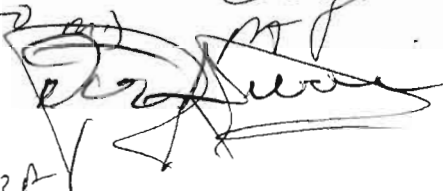
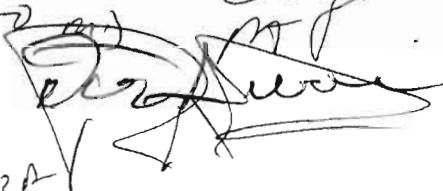
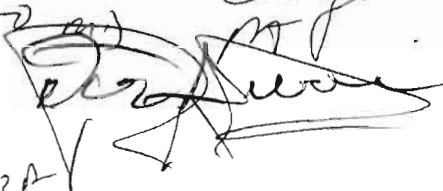
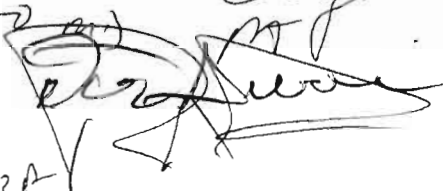
"The beach parcel east of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard) – from District "B" Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district to District "PBN" Padre Boulevard North Character Zone."

	PRINTED NAME	SIGNATURE	ADDRESS
1.	Chuck Castaneda	Chuck Castaneda	6505 Beach Dr
2.	HECTOR C SOTO MD	Hector C Soto MD	6409 Beach Ave
3.	DAVE SWAIN	Dave Swain	6412 BEACH
4.	Charles Toland	Charles Toland	6504 Fountain Way
5.	Billy L. H. Fillingim	Billy L. H. Fillingim	6508 Beach Dr
6.	Rosendo Almaraz	Rosendo Almaraz	6506 Fountain Way
7.	DORA ALMARAZ	Dora Almaraz	6506 Fountain Way
8.	Vicki Lynn Chupla	Vicki Lynn Chupla	6518 Beach Dr.
9.	Debra Sherill Courtney	Debra Sherill Courtney	6508 Beach Dr.
10.	Maya M. Barlescher	Maya M. Barlescher	6518 Fountain Ave
11.			
12.			
13.			
14.			

PETITION TO CITY MAYOR AND OTHER MEMBERS OF THE CITY COUNCIL

I wish to voice my opposition to the proposed rezoning as stated below and hereby request the Mayor and other members of the City Council to deny the request submitted by Mr. Brashear.

"The beach parcel east of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard) – from District "B" Multi-family dwelling, apartment, motel, hotel, condominium, townhouse district to District "PBN" Padre Boulevard North Character Zone."

	PRINTED NAME	SIGNATURE	ADDRESS
1.	Chuck Costanza		6505 Beach Dr.
2.	Hector C. Fort		6409 Beach Drive
3.	DAVE SWAIN		6412 BEACH
4.	Richard A. Garcia		6400 Beach
5.	Rubert I. I. I.		6401 Fountain Way
6.	Vicki Lynn Anglin		6518 Beach D.
7.	Richard Beateschies		6518 Fountain Way
8.	Charles A. Toland		6504 Fountain Way
9.	Betty & Ron Kellingsworth		6508 Padre Beach Dr.
10.	Rosendo ALARAZ		6506 Fountain Way
11.	DORA ALARAZ		6506 Fountain Way
12.	Debbie Merrill Country		6508 Beach Drive
13.	Mary M. Bealech		6518 Fountain Way
14.			

From: Susan Guthrie
Sent: Tuesday, August 15, 2017 3:57 PM
To: Dr. Sungman Kim
Subject: FW: Clayton's

From: Dennis Stahl [mailto:dwstahl@gmail.com]
Sent: Tuesday, August 15, 2017 2:31 PM
To: Susan Guthrie <sguthrie@MySPI.org>
Subject: Fwd: Clayton's

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by
clicking here.

The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

----- Forwarded message -----

From: John Johnson <jdjohnsonjdj@att.net>
Date: Tue, Aug 15, 2017 at 2:15 PM
Subject: Clayton's
To: rpitcock@myspi.org, dwstahl@gmail.com, thersa.metty@yahoo.com, spialita@aol.com, paulpadre@aol.com
Cc: "Condo: Phone #'s Patrick Marchan" <lasvillasspi@yahoo.com>

I own a condo on SPI: Las Villas 111 Hacienda Blvd unit 201. I understand Clayton Brasher has requested a zoning change to permit his commercialization of his new pier — when built: food, drinks, and music. Just the permit to build the pier is unfortunate but its commercialization is a travesty! It will allow further encroachment on our residential neighborhoods (NOISE, TRASH, GARBAGE such as paper sacks, food, beer/soda cans, etc. It also would set a precedence for other businesses to commercialization our “open beach”. Where does it stop. The pier is enough.

Apparently the proposal as presented states “re-zoning does not impact on the use of public beach”. Come on guys— this is ludicrous. Maybe it does not impact access to the public beach but it does impact enjoyment of the beach near Clayton's due to the many issues stated above and it will require constant beach clean-up either by Clayton or the city — or “OUR” beach will be trashed and this would not be good for our

enjoyment, near-by property values or for tourism (reputation of SPI).

PLEASE DO NOT APPROVE THIS ZONING CHANGE!

Brasher
JD JOHNSON
Las Villas CondoBrasher
Unit 201



August 15, 2017

South Padre Island City Council

Re: Clayton Brashear's request to change zoning and allow beach commercial activity

As an owner of a condominium at Las Villas, 111 Hacienda Drive, South Padre Island, I oppose Clayton Brashear's request for a zoning change to allow commercial activity on our beach.

1. The re-zoning would allow further encroachment on the residential neighborhoods to the south of Clayton's Bar.
2. This re-zoning, if approved, would set the precedence to allow further re-zoning expansions in the future along our beach.
3. The Task Force Committee meeting's notes state "This re-zoning does not impact on the use of the public beach. It will allow commercial activities on the fishing pier, NOT on the public beach". However, the question is how would this restriction be enforced and what is the likelihood that the parties would comply with that restriction?
4. The commercial re-zone being requested is to allow for the construction and operation of concessions on the pier, once it is completed. Those concession activities, specifically the sale of food, drinks, beach supplies, bait, etc., would undoubtedly generate additional trash. There is no doubt that a portion of that trash would likely blow into the waters of the gulf and ultimately wash up on our beaches. That trash would not only be unsightly, but would also generate additional costs to clean up. That cost would be borne by the local taxpayers' dollars.

The re-zoning is being requested with little regard to the surrounding neighborhoods and the potential impact on the quality of life within those neighborhoods. I fully understand and acknowledge the need for tourism. It is indeed the life-blood of South Padre Island. However, the City needs to maintain a balance between the interests of the business and commercial aspects of the island and the welfare of its residents.

I urge you to please deny Mr. Brashear's request for this re-zoning.

Respectfully,

__Thomas and Sandra Tomko_____

Las Villas Condominiums Unit # 501
111 Hacienda Drive, South Padre Island

Mayor Barry Patel barryspi@gmail.com

City Council Members:

Ron Pitcock rpitcock@myspi.org

Dennis Stahl
Mayor Pro-tem dwstahl@gmail.com

Theresa Metty thersa.metty@yahoo.com

Alita Bagley spialita@aol.com

Paul Munarriz paulpadre@aol.com



August 15, 2017

South Padre Island City Council

Re: Clayton Brashear's request to change zoning and allow beach commercial activity

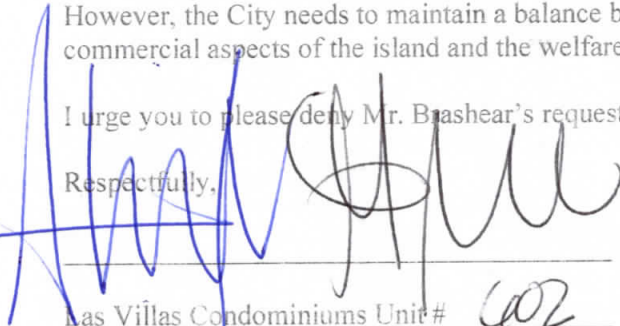
As an owner of a condominium at Las Villas, 111 Hacienda Drive, South Padre Island, I oppose Clayton Brashear's request for a zoning change to allow commercial activity on our beach.

1. The re-zoning would allow further encroachment on the residential neighborhoods to the south of Clayton's Bar.
2. This re-zoning, if approved, would set the precedence to allow further re-zoning expansions in the future along our beach.
3. The Task Force Committee meeting's notes state "This re-zoning does not impact on the use of the public beach. It will allow commercial activities on the fishing pier, NOT on the public beach". However, the question is how would this restriction be enforced and what is the likelihood that the parties would comply with that restriction?
4. The commercial re-zone being requested is to allow for the construction and operation of concessions on the pier, once it is completed. Those concession activities, specifically the sale of food, drinks, beach supplies, bait, etc., would undoubtedly generate additional trash. There is no doubt that a portion of that trash would likely blow into the waters of the gulf and ultimately wash up on our beaches. That trash would not only be unsightly, but would also generate additional costs to clean up. That cost would be borne by the local taxpayers' dollars.

The re-zoning is being requested with little regard to the surrounding neighborhoods and the potential impact on the quality of life within those neighborhoods. I fully understand and acknowledge the need for tourism. It is indeed the life-blood of South Padre Island. However, the City needs to maintain a balance between the interests of the business and commercial aspects of the island and the welfare of its residents.

I urge you to please deny Mr. Brashear's request for this re-zoning.

Respectfully,


Las Villas Condominiums Unit # 602
111 Hacienda Drive, South Padre Island



August 15, 2017

South Padre Island City Council

Re: Clayton Brashear's request to change zoning and allow beach commercial activity

As an owner of a condominium at Las Villas, 111 Hacienda Drive, South Padre Island, I oppose Clayton Brashear's request for a zoning change to allow commercial activity on our beach.

1. The re-zoning would allow further encroachment on the residential neighborhoods to the south of Clayton's Bar.
2. This re-zoning, if approved, would set the precedence to allow further re-zoning expansions in the future along our beach.
3. The Task Force Committee meeting's notes state "This re-zoning does not impact on the use of the public beach. It will allow commercial activities on the fishing pier, NOT on the public beach". However, the question is how would this restriction be enforced and what is the likelihood that the parties would comply with that restriction?
4. The commercial re-zone being requested is to allow for the construction and operation of concessions on the pier, once it is completed. Those concession activities, specifically the sale of food, drinks, beach supplies, bait, etc., would undoubtedly generate additional trash. There is no doubt that a portion of that trash would likely blow into the waters of the gulf and ultimately wash up on our beaches. That trash would not only be unsightly, but would also generate additional costs to clean up. That cost would be borne by the local taxpayers' dollars.

The re-zoning is being requested with little regard to the surrounding neighborhoods and the potential impact on the quality of life within those neighborhoods. I fully understand and acknowledge the need for tourism. It is indeed the life-blood of South Padre Island. However, the City needs to maintain a balance between the interests of the business and commercial aspects of the island and the welfare of its residents.

I urge you to please deny Mr. Brashear's request for this re-zoning.

Respectfully,

LIC. JUAN MANUEL GARCÍA GARCÍA

Las Villas Condominiums Unit # 701
111 Hacienda Drive, South Padre Island



August 15, 2017

South Padre Island City Council

Re: Clayton Brashear's request to change zoning and allow beach commercial activity

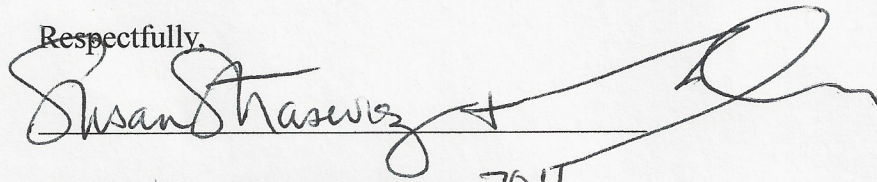
As an owner of a condominium at Las Villas, 111 Hacienda Drive, South Padre Island, I oppose Clayton Brashear's request for a zoning change to allow commercial activity on our beach.

1. The re-zoning would allow further encroachment on the residential neighborhoods to the south of Clayton's Bar.
2. This re-zoning, if approved, would set the precedence to allow further re-zoning expansions in the future along our beach.
3. The Task Force Committee meeting's notes state "This re-zoning does not impact on the use of the public beach. It will allow commercial activities on the fishing pier, NOT on the public beach". However, the question is how would this restriction be enforced and what is the likelihood that the parties would comply with that restriction?
4. The commercial re-zone being requested is to allow for the construction and operation of concessions on the pier, once it is completed. Those concession activities, specifically the sale of food, drinks, beach supplies, bait, etc., would undoubtedly generate additional trash. There is no doubt that a portion of that trash would likely blow into the waters of the gulf and ultimately wash up on our beaches. That trash would not only be unsightly, but would also generate additional costs to clean up. That cost would be borne by the local taxpayers' dollars.

The re-zoning is being requested with little regard to the surrounding neighborhoods and the potential impact on the quality of life within those neighborhoods. I fully understand and acknowledge the need for tourism. It is indeed the life-blood of South Padre Island. However, the City needs to maintain a balance between the interests of the business and commercial aspects of the island and the welfare of its residents.

I urge you to please deny Mr. Brashear's request for this re-zoning.

Respectfully,

A handwritten signature in black ink, appearing to read "Susan Shaswicz", with a long, sweeping horizontal line extending to the right.

Las Villas Condominiums Unit # 704
111 Hacienda Drive, South Padre Island

Mayor Barry Patel barryspi@gmail.com

City Council Members:

Ron Pitcock rpitcock@myspi.org

Dennis Stahl
Mayor Pro-tem dwstahl@gmail.com

Theresa Metty thersa.metty@yahoo.com

Alita Bagley spialita@aol.com

Paul Munarriz paulpadre@aol.com

From: Susan Guthrie
Sent: Monday, August 14, 2017 5:54 PM
To: Dr. Sungman Kim
Subject: FW: Request for rezoning - Clayton Brashear property from "B" to "PBN"

Follow Up Flag: Follow Up
Due By: Monday, August 14, 2017 6:35 PM
Flag Status: Flagged

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by clicking [here](#).

The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

From: Dennis Stahl [<mailto:dwstahl@gmail.com>]
Sent: Monday, August 14, 2017 5:43 PM
To: Susan Guthrie <sguthrie@MySPI.org>
Subject: Fwd: Request for rezoning - Clayton Brashear property from "B" to "PBN"

Begin forwarded message:

From: David Salinas <dsalinas345@gmail.com>
Date: August 14, 2017 at 3:56:55 PM CDT
To: barryspi@gmail.com, dwstahl@gmail.com, theresa.metty@yahoo.com, spialita@aol.com, PaulPadre@aol.com, RPitcock@myspi.org
Subject: Request for rezoning - Clayton Brashear property from "B" to "PBN"
August 14, 2017

Dear South Padre Island City Council Members,

My name is David Salinas and I own a condo (#802) at Las Villas Condominiums at 111 Hacienda Dr. in South Padre Island, TX. As a taxpayer and property owner

at South Padre Island, TX., I am sending this communication to you as our elected representatives on the city council to voice my deep concern and strongest opposition to a request by Mr. Clayton Brashear to change the zoning for a parcel of beach property from a Zone B to PBN. It is my understanding that this changes a residential only zoning into a new zoning that would allow commercial activity on the proposed pier.

As you well know, the Clayton's area already causes significant traffic and congestion of individuals and automobiles during peak periods and events. Creating a new attraction to draw more people to the area seems like it would only severely compound the existing issues we already face. The residential areas immediately south of the current Clayton's compound already have to put up with many of the current issues caused by this periodic congestion. Specifically: trash, rowdy crowds, significant noise, amplified noise, traffic, and a variety of other complaints from the residents. The residential areas were there first and we all have a significant investment in the local community that in no way inconveniences anyone nor disrupts anyone's ability for peaceful and quiet enjoyment. If you allow this zoning change, then where does this stop? Will our beautiful beaches become cluttered and filled with other types of commercial endeavors? If you allow this pier to have commercial business on it, then how will you deny others and if you don't, will our beaches become the next commercial district?

I appreciate the work and responsibility that you as an elected official have and I ask you to please keep the commercial business in an existing designated area where they belong and away from our beaches.

Thank you for your efforts to keep our beautiful South Padre Island what it is today.

David Salinas
Las Villas Condos #802
111 Hacienda Dr.
South Padre Island, TX



August 15, 2017

South Padre Island City Council

Re: Clayton Brashear's request to change zoning and allow beach commercial activity

As an owner of a condominium at Las Villas, 111 Hacienda Drive, South Padre Island, I oppose Clayton Brashear's request for a zoning change to allow commercial activity on our beach.

1. The re-zoning would allow further encroachment on the residential neighborhoods to the south of Clayton's Bar.
2. This re-zoning, if approved, would set the precedence to allow further re-zoning expansions in the future along our beach.
3. The Task Force Committee meeting's notes state "This re-zoning does not impact on the use of the public beach. It will allow commercial activities on the fishing pier, NOT on the public beach". However, the question is how would this restriction be enforced and what is the likelihood that the parties would comply with that restriction?
4. The commercial re-zone being requested is to allow for the construction and operation of concessions on the pier, once it is completed. Those concession activities, specifically the sale of food, drinks, beach supplies, bait, etc., would undoubtedly generate additional trash. There is no doubt that a portion of that trash would likely blow into the waters of the gulf and ultimately wash up on our beaches. That trash would not only be unsightly, but would also generate additional costs to clean up. That cost would be borne by the local taxpayers' dollars.

The re-zoning is being requested with little regard to the surrounding neighborhoods and the potential impact on the quality of life within those neighborhoods. I fully understand and acknowledge the need for tourism. It is indeed the life-blood of South Padre Island. However, the City needs to maintain a balance between the interests of the business and commercial aspects of the island and the welfare of its residents.

I urge you to please deny Mr. Brashear's request for this re-zoning.

Respectfully,

Las Villas Condominiums Unit # 901 & 902
111 Hacienda Drive, South Padre Island

September 19, 2017

To:

Dr. Sungman Kim, PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
Director of Development
City of South Padre Island
South Padre Island, Texas

Re: Form-Based Code Intent Memo

Dear Dr. Kim:

This memo is in reference to your question about the parcel identified in the red box in the image below. The original Form-Based Code boundary did not extend beyond the development property line adjoining the beach. This original boundary was established based on the available information on existing and proposed development and could not anticipate other possible development opportunities that are wholly consistent with the intent of the Form-Based code such as fishing piers, retail kiosks, etc.

An expansion of the PBN district to include the beach front in order to accommodate the fishing pier with a retail kiosk would not be incompatible with the intent of the FBC and the PBN District.



Please feel free to contact me if you have any further questions or need any clarifications.

Sincerely,

Jay Narayana, AICP, CNU-A
Principal



Marta Martinez <mmartinez@myspi.org>

Fwd: Letter of Protest rezoning from District B to PBN

1 message

Sungman Kim <skim@myspi.org>
 To: Marta Martinez <mmartinez@myspi.org>

Tue, Sep 19, 2017 at 3:05 PM

Please put this email in file and distribute.
 Thank you.
 Sungman

----- Forwarded message -----

From: Susan Guthrie <sguthrie@myspi.org>
 Date: Tue, Sep 19, 2017 at 3:01 PM
 Subject: Fwd: Letter of Protest rezoning from District B to PBN
 To: "Dr. Sungman Kim" <skim@myspi.org>

----- Forwarded message -----

From: Mike Gonzalez <beachside@prodigy.net>
 Date: Tue, Sep 19, 2017 at 2:46 PM
 Subject: Letter of Protest rezoning from District B to PBN
 To: Susan Guthrie <sguthrie@myspi.org>
 Cc: Chuck Costanza <chuckcos@msn.com>, David Tannenbaum <davidt@hotray.com>, Affordable Beach House Vacation Rentals <padrebeachhouses@gmail.com>, Mary Tannenbaum <maryt@hotray.com>, Douglas Dickey <d2dickey@mac.com>, Pat Pither <pat@pitherplumbing.com>, Melissa Smallman <melissa@rentonpadre.com>, Ben Smallman <bensmallman@msn.com>, Barry Sullivan <bestsource916@gmail.com>, Diane Dickey <dianeldickey@me.com>, "carlosmego@me.com" <carlosmego@me.com>, Antonio Martinez <tony@mbymylaw.com>, Sandra Saenz <sandra@mbymylaw.com>, Van Mecke <rvmecke@hotmail.com>, JIM OR BARBARA NOAKES <jbanoakes@msn.com>, Judy Smallman <judy.l.smallman@gmail.com>, "furcrondobbie@aol.com" <furcrondobbie@aol.com>, Mike Miller <mike.miller@thetikispi.com>, Dewey Kulzer <dewey.kulzer@thetikispi.com>

Dear Susan,

We are Mike Gonzalez and Barbara Gonzalez owner of property located at 139 East White Sands, we oppose the rezoning of certain beach areas, East of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .
 We also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract 17, Padre Beach Estate Subdivision.

Please contact us if you have any questions or comments regarding this rezoning which we strongly oppose.
 Thank you
 Mike & Barbara Gonzalez
 761-8750

Dr. Sungman Kim | Director of Development
 PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
 City of South Padre Island
 4601 Padre Blvd. South Padre Island, Texas 78597





Marta Martinez <mmartinez@myspi.org>

Fwd: Zoning

1 message

Sungman Kim <skim@myspi.org>

Tue, Sep 19, 2017 at 6:27 PM

To: Marta Martinez <mmartinez@myspi.org>

For file and distribution. Thank you.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>

Date: Sep 19, 2017 6:22 PM

Subject: Fwd: Zoning

To: "Dr. Sungman Kim" <skim@myspi.org>

Cc:

----- Forwarded message -----

From: Donna Major <majord92@gmail.com>

Date: Tue, Sep 19, 2017 at 5:24 PM

Subject: Zoning

To: sguthrie@myspi.org

My name is __Peter Major__ owner of property located at __6608 padre blvd south padre island__ I oppose the rezoning of certain beach areas, East of Block 20, Padre Beach Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre Beach Estate Subdivision (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract 17, Padre Beach Estate Subdivision.

Sent from my iPhone



Marta Martinez <mmartinez@myspi.org>

Fwd:

1 message

Sungman Kim <skim@myspi.org>

Tue, Sep 19, 2017 at 8:57 PM

To: Marta Martinez <mmartinez@myspi.org>

For file and distribution.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>

Date: Sep 19, 2017 6:45 PM

Subject: Fwd:

To: "Dr. Sungman Kim" <skim@myspi.org>

Cc:

----- Forwarded message -----

From: **Diana Guajardo** <dianabest07@gmail.com>

Date: Tue, Sep 19, 2017 at 4:57 PM

Subject:

To: sguthrie@myspi.org

Feel free to copy and paste this as the body of your protest letter:

My name is Lydia M. Besteiro owner of property located at 137 East White Sands I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Lydia M. Besteiro
137 East White Sands
[956-459-8266](tel:956-459-8266)



Marta Martinez <mmartinez@myspi.org>

Fwd: Rezoning

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Tue, Sep 19, 2017 at 8:58 PM

For file and distribution.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>

Date: Sep 19, 2017 6:47 PM

Subject: Fwd: Rezoning

To: "Dr. Sungman Kim" <skim@myspi.org>

Cc:

----- Forwarded message -----

From: JIM OR BARBARA NOAKES <jbanoakes@msn.com>

Date: Tue, Sep 19, 2017 at 4:25 PM

Subject: Rezoning

To: "sguthrie@myspi.org" <sguthrie@myspi.org>

We are Jim and Barbara Noakes. We own condo 246 at The Tiki on SPI. We oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach](#) Estates Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach Estate Subdivision (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate](#) Subdivision (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

We also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate](#) Subdivision. We are apposed because of the noise, all-night partying and the undesirable people something like this will draw if the rezoning is passed.



Marta Martinez <mmartinez@myspi.org>

Fwd: P&Z Meeting

1 message

Sungman Kim <skim@myspi.org>

Tue, Sep 19, 2017 at 8:58 PM

To: Marta Martinez <mmartinez@myspi.org>

For file and distribution.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>

Date: Sep 19, 2017 6:52 PM

Subject: Fwd: P&Z Meeting

To: "Dr. Sungman Kim" <skim@myspi.org>

Cc:

----- Forwarded message -----

From: Van Mecke <rvmecke@hotmail.com>

Date: Tue, Sep 19, 2017 at 3:36 PM

Subject: P&Z Meeting

To: "sguthrie@myspi.org" <sguthrie@myspi.org>

Dear Susan,

My name is Reginald Van Mecke owner and resident of the property located at [129 White Sands St.](#) I strongly oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Thank you very much,
Reginald Van Mecke



Marta Martinez <mmartinez@myspi.org>

Fwd: Opposing Re zoning Next to Our SPI Property

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Tue, Sep 19, 2017 at 8:59 PM

For file and distribution.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>

Date: Sep 19, 2017 6:53 PM

Subject: Fwd: Opposing Re zoning Next to Our SPI Property

To: "Dr. Sungman Kim" <skim@myspi.org>

Cc:

----- Forwarded message -----

From: **Bob & Jan Garber** <bgarb@aol.com>

Date: Tue, Sep 19, 2017 at 3:28 PM

Subject: Opposing Re zoning Next to Our SPI Property

To: sguthrie@myspi.org

Our names are Robert M and Janet T Garber owners of property located at [6608 Padre Blvd. Unit 326B, SPI, TX](#). We oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), [Contran Subdivision Lot 2](#) (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

We also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Thank you for considering our opposition to these items.

Robert M and Janet T Garber

Sent from AOL Mobile Mail



Marta Martinez <mmartinez@myspi.org>

Fwd: Opposition to Proposed Rezoning

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Tue, Sep 19, 2017 at 8:59 PM

For file and distribution.

----- Forwarded message -----

From: "Susan Guthrie" <sguthrie@myspi.org>
Date: Sep 19, 2017 6:53 PM
Subject: Fwd: Opposition to Proposed Rezoning
To: "Dr. Sungman Kim" <skim@myspi.org>
Cc:

----- Forwarded message -----

From: **Douglas Dickey** <d2dickey@mac.com>
Date: Tue, Sep 19, 2017 at 3:23 PM
Subject: Opposition to Proposed Rezoning
To: Susan Guthrie <sguthrie@myspi.org>

Ms. Guthrie:

My name is Douglas Dickey and I am the owner of a residential property located at 133 E. White Sands. I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

Additionally, I oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Thank you for your consideration,

Douglas Dickey

----- Forwarded message -----

From: <rsomohano@aol.com>

Date: Wed, Sep 20, 2017 at 12:39 PM

Subject: Rezoning

To: sguthrie@myspi.org

Dear Ms Guthrie,

I am opposed to the rezoning request from Clayton.

Thank you for all you do,

Rosie S Guerra

Home Owner

--

Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP

City of South Padre Island

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898

E-mail: SKim@MySPI.org www.MySPI.org



To: Susan Guthrie <sguthrie@myspi.org>

Susan,

My name is Melissa Smallman manager/full time resident of property located at [113 White Sands](#). I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates](#) Subdivision (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate](#) Subdivision (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate](#) Subdivision (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate](#) Subdivision.

Thanks,

~Melissa

Melissa Smallman

Rent On Padre

956-433-5650 office

956-433-1450 cell

Visit our website

www.rentonpadre.com



—
Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP

City of South Padre Island

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898

E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: Clayton's rezoning request

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Wed, Sep 20, 2017 at 1:26 PM

For file and distribution.

----- Forwarded message -----

From: Susan Guthrie <sguthrie@myspi.org>
Date: Wed, Sep 20, 2017 at 1:25 PM
Subject: Fwd: Clayton's rezoning request
To: "Dr. Sungman Kim" <skim@myspi.org>

Susan Guthrie | City Manager

City of South Padre Island | City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).



----- Forwarded message -----

From: C Geletzke <cgeletzke@gmail.com>
Date: Wed, Sep 20, 2017 at 12:06 PM
Subject: Clayton's rezoning request
To: sguthrie@myspi.org

Dear Ms Guthrie,

Recently, we became full time year round residents of South Padre Island having purchased a town home in the Villas of SPI.

It has been quite distressing to learn of the possibility of a fishing pier so close to our beach, with the the increased trash and attraction of sharks that it could bring. While a fishing pier might be enjoyed by tourists, it would be better located in a less developed area.

Also distressing is the rezoning request for Clayton's. It seems like it is all about the economic gain of one business owner, with no consideration for the taxpayers that live nearby. The activities at Clayton's during spring break 2017 were deplorable.

Please do whatever you are able to deny the zoning request and placing the fishing pier in this location.

Also, could you please tell me---how do we find out about the public hearings? We have planned to attend a couple that were cancelled, only to read later that they took place at a another time that we knew nothing about. While it may not be the case, it feels like there is an attempt to keep the public from attending public hearings.

Thank you very much,

Cindy Geletzke



Marta Martinez <mmartinez@myspi.org>

Fwd: Opposition to rezoning request of the area of Clayton's Pier.

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Wed, Sep 20, 2017 at 1:30 PM

For file and distribution.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>
Date: Wed, Sep 20, 2017 at 1:28 PM
Subject: Fwd: Opposition to rezoning request of the area of Clayton's Pier.
To: "Dr. Sungman Kim" <skim@myspi.org>

Susan Guthrie | City Manager

City of South Padre Island | City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).



----- Forwarded message -----

From: **vlad loshkarev** <loshkarevvlad@hotmail.com>
Date: Wed, Sep 20, 2017 at 12:04 PM
Subject: Opposition to rezoning request of the area of Clayton's Pier.
To: "sguthrie@myspi.org" <sguthrie@myspi.org>

Dear Susan Guthrie,

My name is Vladislav Loshkarev. I own a property at Las Villas at SPI. My property address is [6516 Fountain Way, Unit A](#). It is registered to the name of VL and LM FLP.

I am writing this email to let you know that I oppose the rezoning of the Clayton's Pier that is scheduled coming Thursday.

If you have questions, please do not hesitate to contact me at [\(956\)330-2731](tel:9563302731).

Sincerely,

V. Loshkarev

Dr. Sungman Kim | Director of Development
PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597





Marta Martinez <mmartinez@myspi.org>

Fwd: Changes in Zoning

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Wed, Sep 20, 2017 at 1:34 PM

For file and distribution.

----- Forwarded message -----
From: **Susan Guthrie** <sguthrie@myspi.org>
Date: Wed, Sep 20, 2017 at 1:32 PM
Subject: Fwd: Changes in Zoning
To: "Dr. Sungman Kim" <skim@myspi.org>

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).



----- Forwarded message -----
From: **Francisco Cué** <cue.francisco@gmail.com>
Date: Wed, Sep 20, 2017 at 11:51 AM
Subject: Changes in Zoning
To: sguthrie@myspi.org
Cc: Costanza Chuck <chuckcos@msn.com>

Dear Susan

I'm an owner of a house in the Villas of SPI, 6412 Fountain Way.

This is to let you know that I don't agree with any change in the zoning. The reasons have been already expose by our president Mr. Chuck Constanza.

Regards

Francisco Cué

Enviado desde Mi iPhone

e-mail: cue.francisco@gmail.com

Please consider the environment before printing this email.

Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898
E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: Opposition to clayton's pier

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Wed, Sep 20, 2017 at 3:11 PM

For file and distribution.

----- Forwarded message -----

From: Susan Guthrie <sguthrie@myspi.org>
Date: Wed, Sep 20, 2017 at 3:09 PM
Subject: Fwd: Opposition to clayton's pier
To: "Dr. Sungman Kim" <skim@myspi.org>**Susan Guthrie | City Manager**

City of South Padre Island | City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).



----- Forwarded message -----

From: Davidt <davidt@hotray.com>
Date: Wed, Sep 20, 2017 at 2:35 PM
Subject: Opposition to clayton's pier
To: Susan Guthrie <sguthrie@myspi.org>
Cc: Mike & Barbara Gonzalez <beachside@prodigy.net>

Dear Susan

My name is David Tannenbaum and I and my wife Mary own unit D of the condo at 143 White Sands Unit D. We oppose the zoning change which would allow a pier to be built across the beach and into the Gulf of Mexico. Lack of adequate parking as well as beach overcrowding are two of our reasons. In addition, lack of city control over pier activities could lead to a very unsafe and unsavory environment amidst what is otherwise a family friendly beach. This is a bad idea and will operate to deteriorate the safe environment our beaches and streets are known for. Thank you.

Sent from my iPhone

--

Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898
E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: Letter of Protest rezoning from District B to PBN

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Wed, Sep 20, 2017 at 4:03 PM

For file and distribution.

On Wed, Sep 20, 2017 at 4:01 PM, Susan Guthrie <sguthrie@myspi.org> wrote:

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).



----- Forwarded message -----

From: **Sandra Saenz** <sandra@mbymlaw.com>
Date: Wed, Sep 20, 2017 at 3:37 PM
Subject: RE: Letter of Protest rezoning from District B to PBN
To: Susan Guthrie <sguthrie@myspi.org>
Cc: Chuck Costanza <chuckcos@msn.com>, David Tannenbaum <davidt@hotray.com>, Affordable Beach House Vacation Rentals <padrebeachhouses@gmail.com>, Mary Tannenbaum <maryt@hotray.com>, Douglas Dickey <d2dickey@mac.com>, Pat Pither <pat@pitherplumbing.com>, Melissa Smallman <melissa@rentonpadre.com>, Ben Smallman <bensmallman@msn.com>, Barry Sullivan <bestsource916@gmail.com>, Diane Dickey <dianeldickey@me.com>, "carlosmego@me.com" <carlosmego@me.com>, Tony Martinez <tony@mbymlaw.com>, Van Mecke <rvmecke@hotmail.com>, JIM OR BARBARA NOAKES <jbanoakes@msn.com>, Judy Smallman <judy.l.smallman@gmail.com>, "furcrondebbie@aol.com" <furcrondebbie@aol.com>, Mike Miller <mike.miller@thetikispi.com>, Dewey Kulzer <dewey.kulzer@thetikispi.com>, Mike Gonzalez <beachside@prodigy.net>

Dear Susan,

My name is Tony Martinez owner of property located at E. White Sands, I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Please contact me if you have any questions or comments regarding this rezoning which I strongly oppose.

Thank you

Tony Martinez

956/546-7159

—
Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP

City of South Padre Island

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898

E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: A Negative Vote on the Proposed Fishing Pier

1 message

Sungman Kim <skim@myspi.org>

Thu, Sep 21, 2017 at 9:30 AM

To: Marta Martinez <mmartinez@myspi.org>

For file and distribution.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>

Date: Wed, Sep 20, 2017 at 10:42 PM

Subject: Re: A Negative Vote on the Proposed Fishing Pier

To: David Morehead <djmorehead@cybermesa.com>

Cc: SKim@myspi.org

I'll share this with Dr Kim and your opposition will be part of the case.

Thank you.

Susan

Sent from my iPhone

> On Sep 20, 2017, at 10:46 PM, David Morehead <djmorehead@cybermesa.com> wrote:

>

> Susan: I have written before on this, but once again want to register a "NO" vote on the proposed pier. The kind of tourists that it might attract would not spend much money on the Island and the chance for inviting sharks to our lovely beaches makes it an easy decision: no! Dave and Marjorie Morehead, 6501 Fountain Way, phone 772-9883.

--
Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP

City of South Padre Island

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898

E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: Opposition to Clayton Pier

1 message

Sungman Kim <skim@myspi.org>

Thu, Sep 21, 2017 at 9:40 AM

To: Marta Martinez <mmartinez@myspi.org>

For file and distribution.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>

Date: Thu, Sep 21, 2017 at 5:24 AM

Subject: Fwd: Opposition to Clayton Pier

To: **SKim@myspi.org**

Sent from my iPhone

Begin forwarded message:

From: Ben Smallman <BenSmallman@msn.com>**Date:** September 21, 2017 at 3:57:38 AM CDT**To:** "sguthrie@myspi.org" <sguthrie@myspi.org>**Subject:** Opposition to Clayton Pier

Hi Susan:

My name is Ben Smallman, owner of property located at [113 E. Whitesands Street](#). My wife Judy and I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), Contran Subdivision Lot 2 (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone).

I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Ben & Judy Smallman

Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP

City of South Padre Island

4601 Padre Blvd. South Padre Island, Texas 78597

Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898

E-mail: SKim@MySPI.org www.MySPI.org



Marta Martinez <mmartinez@myspi.org>

Fwd:

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Fri, Sep 22, 2017 at 9:03 AM

For file.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>
Date: Thu, Sep 21, 2017 at 9:04 PM
Subject: Fwd:
To: "Dr. Sungman Kim" <skim@myspi.org>

----- Forwarded message -----

From: **Judy Smallman** <judy.l.smallman@gmail.com>
Date: Thu, Sep 21, 2017 at 9:11 AM
Subject:
To: <sguthrie@myspi.org>

My name is Judy Smallman owner of property located at 113 E WhiteSands
I oppose the rezoning of certain beach areas, East of [Block 20, Padre Beach Estates Subdivision](#) (La Quinta Inn & Suites), [Contran Subdivision Lot 2](#) (Clayton's Beach Bar), East Tract [17, Padre Beach Estate Subdivision](#) (Clayton's Fishing Pier), and East Tract [16, Padre Beach Estate Subdivision](#) (Marriott, Court Yard), from District "B" Multi-Family dwelling, motel, hotel, condominium, townhouse district to District "PBN" (Padre Boulevard North Character Zone) .
I also oppose the Specific Use Permit, regarding a specific use permit for a private (COMMERCIAL) fishing pier at East Tract [17, Padre Beach Estate Subdivision](#).

Judy Smallman
113 E WhiteSands

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
[4601 Padre Blvd. South Padre Island, Texas 78597](#)
Office: [956-761-8108](#) | Mobile: [903-752-5744](#)
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).

[Facebook](#)[Twitter](#)[YouTube](#)**Dr. Sungman Kim | Director of Development**

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
[4601 Padre Blvd. South Padre Island, Texas 78597](#)
Office: [956-761-8113](#) | Cell: [956-407-2003](#) | Fax: [956-761-3898](#)
E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd:

1 message

Sungman Kim <skim@myspi.org>
To: Marta Martinez <mmartinez@myspi.org>

Fri, Sep 22, 2017 at 9:04 AM

For file.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>
Date: Thu, Sep 21, 2017 at 9:03 PM
Subject: Fwd:
To: "Dr. Sungman Kim" <skim@myspi.org>

----- Forwarded message -----

From: **Judy Smallman** <judy.l.smallman@gmail.com>
Date: Thu, Sep 21, 2017 at 9:14 AM
Subject:
To: <sguthrie@myspi.org>

My name is Ben Smallman owner of property located at 113 E WhiteSands
I oppose the rezoning of certain beach areas, East of Block 20, Padre
Beach Estates Subdivision (La Quinta Inn & Suites), Contran
Subdivision Lot 2 (Clayton's Beach Bar), East Tract 17, Padre Beach
Estate Subdivision (Clayton's Fishing Pier), and East Tract 16, Padre
Beach Estate Subdivision (Marriott, Court Yard), from District "B"
Multi-Family dwelling, motel, hotel, condominium, townhouse district
to District "PBN" (Padre Boulevard North Character Zone) .
I also oppose the Specific Use Permit, regarding a specific use permit
for a private (COMMERCIAL) fishing pier at East Tract 17, Padre Beach
Estate Subdivision.

Bennett R Smallman
113 E WhiteSands
bensmallman@gmail.com
956.433.1653

Susan Guthrie | City Manager

City of South Padre Island |City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744
E-mail: sguthrie@MySPI.org www.MySPI.org
How did I do? Please take our Customer Service Survey by [clicking here](#).

[Facebook](#)[Twitter](#)[YouTube](#)**Dr. Sungman Kim** | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898
E-mail: SKim@MySPI.org www.MySPI.org





Marta Martinez <mmartinez@myspi.org>

Fwd: Clayton Pier

1 message

Sungman Kim <skim@myspi.org>

Fri, Sep 22, 2017 at 9:05 AM

To: Marta Martinez <mmartinez@myspi.org>

For file.
Thank you.

----- Forwarded message -----

From: **Susan Guthrie** <sguthrie@myspi.org>

Date: Thu, Sep 21, 2017 at 9:00 PM

Subject: Fwd: Clayton Pier

To: "Dr. Sungman Kim" <skim@myspi.org>

----- Forwarded message -----

From: Dewey Kulzer <Dewey.Kulzer@thetikispi.com>

Date: Thu, Sep 21, 2017 at 10:10 AM

Subject: Clayton Pier

To: sguthrie@myspi.org <sguthrie@myspi.org>

Susan,

As a property owner and full time resident of SPI, I am in favor of the refining and the pier being constructed by Clayton. I believe it will be a benefit to south Padre Island.

Dewey J Kulzer
6608 Padre Blvd, #143
South Padre Island, TX 78597

Sent from my iPhone

Susan Guthrie | City Manager

City of South Padre Island | City Managers Office
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8108 | Mobile: 903-752-5744

E-mail: sguthrie@MySPI.org www.MySPI.orgHow did I do? Please take our Customer Service Survey by [clicking here](#).

[Facebook](#)
[Twitter](#)
[YouTube](#)

Dr. Sungman Kim | Director of Development

PhD, MBA, MLA, AICP, ASLA/PLA, GISP, SPHR, SHRM-SCP
City of South Padre Island
4601 Padre Blvd. South Padre Island, Texas 78597
Office: 956-761-8113 | Cell: 956-407-2003 | Fax: 956-761-3898
E-mail: SKim@MySPI.org www.MySPI.org



image98c346.PNG

16K

<p style="text-align: center;">PLANNING & ZONING COMMISSION AGENDA REQUEST FORM</p>

MEETING DATE: September 21, 2017

ITEM: 6

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

Public hearing and discussion/action regarding a specific use permit for a private (commercial) fishing pier at East Tract 17, Padre Beach Estate Subdivision and submerged lands belong to the Texas General Land Office

DISCUSSION:

The Issue

This review of a specific use permit assumes that the rezoning to PBN has been approved. If the rezoning is not approved by the City Council at the end of the process, the review of this specific use permit will not be valid. This is a site specific review to control commercial activities on the private (commercial) pier, while protecting public health, safety and welfare.

Specific Use Permit

Table 5.1 (Schedule of Uses) of the Padre Boulevard and Entertainment District Code allows “outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.” at the Padre Boulevard North Character Zone (PBN) through a Specific Use Permit. North American Industry Classification System (2017) defines "Fishing Pier" a part of "All Other Amusement and Recreation Industries (713990)" and this justifies this categorization.

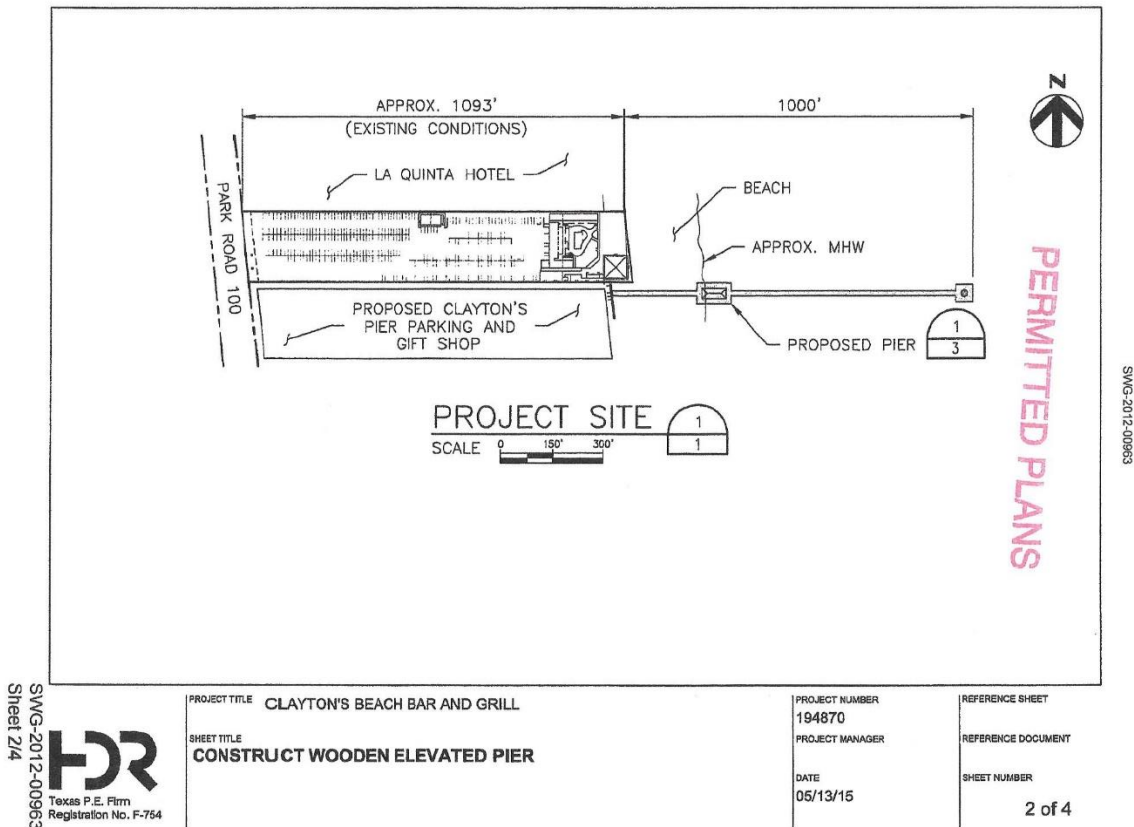
The purpose and intent of a Specific Use Permit is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of a Specific Use Permit application. [Sec. 20-24(A)(2)]

The City Council may, in the interest of the public welfare and to insure compliance with this ordinance, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions. [Sec. 20-24(B)(2)]

PLANNING & ZONING COMMISSION AGENDA REQUEST FORM

Site Plan Review

The development is consists of (1) Pier, (2) Concession, (3) Parking and (4) Gift Shop. The issues raised by citizens are (1) Sharks, (2) Public Safety, (3) Trash and (4) Parking/Traffic.



Staff Recommendation

Staff recommends the Task Force approve the specific use permit with the following conditions:

- (1) No-trash/safety signs shall be installed on the pier;
- (2) Trash bins shall be located for the convenience of the users;
- (3) The owner(s) proactively remove trash on the pier, beach and water area at least twice a day, and as necessary at any time during the day;
- (4) Fish cleaning areas shall be designated, and organic materials (scales, fins, heads, bones, guts, blood and/or dead fishes etc.) shall be disposed properly into a labeled waste container;
- (5) The concession area shall be the only place that commercial activities are allowed;
- (6) Suitably trained first-aid staff shall be available at all times that the premises are open to the public; and
- (7) The entire parking lot shall be paved and landscaped to be compliance with Chapter 20 Zoning of the City of South Padre Island Code of Ordinance.

<p style="text-align: center;">PLANNING & ZONING COMMISSION AGENDA REQUEST FORM</p>

DSRTF Recommendation

Development Standards Review Task Force recommended the City Council deny the application. However, if it is to be approved by the City Council, DSRTF recommended the followings to be added to the staff recommended conditions:

1. *Insurance required with the City named as additional insured*
2. *Barriers placed on pier to mitigate trash*
3. *No fish cleaning stations or dumping of bait buckets on pier/over the water*
4. *Council to review/consider the 12 Fish & Wildlife recommendations*
5. *Verify the enforcement of the SUP and/or the fee/fine schedule*
6. *DO NOT approve SUP until the City has jurisdiction over the entirety of the pier*

These recommendations only apply IF the City Council does NOT deny.

The motion received a majority (3 to 1).

Fire Dept. Recommendation

Requirement 1:

- Two fire hydrants are required for fire protection:
 - One fire hydrant on Padre Boulevard near the entrance to Claytons Pier
 - One fire hydrant placed as close as possible to Pier access. If possible, between Claytons Beach Bar and the Pier, so both property's benefit

Requirement 2:

- Fire access road a minimum of 20 feet in width, from Padre Boulevard to the Pier, with an approved area for turning the apparatus. The entire curb length must be maintained as a no parking fire lane.

Due to the planned use of combustible construction material to build the Pier, as well as the possibility of using the pier for professional fireworks displays, the following recommendation is at the discretion and personal preference of the owner:

Recommendation 1:

- A class I standpipe system in accordance with NFPA 14 or Class III standpipe system in accordance with NFPA 14 with the FDC connection at the beginning of the pier in the parking lot. Hose connection stations on required standpipes shall be provided at the water end of the pier and along the entire length of the pier, at spacing not to exceed 150' and as close as practical to the land end. Each hose connection shall consist of a valved 2 ½ inch fire department hose outlet connection.

COMMISSION ACTION:

MOTION:

BY: _____ SECOND BY: _____

The USACE has identified the following listed species may occur in the project area and potentially impacted by construction and/or during the operation of the pier. These species include five species of nesting sea turtles, the endangered hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), the threatened loggerhead sea turtle (*Caretta caretta*) and green sea turtle (*Chelonia mydas*). Also included are the threatened piping plover (*Charadrius melodus*), the endangered West Indian manatee (*Trichechus manatus*) and the candidate, red knot (*Calidris canutus ssp. Rufa*). The project is not located within designated piping plover critical habitat. The USACE has determined the project "may affect, but is not likely to adversely impact" the species and is seeking concurrence from the U.S. Fish and Wildlife Service's (Service) concurrence with that determination.

To avoid or minimize impacts to the species, the USACE has agreed to implement the following conservation measures:

1. Construction will not occur during the nesting sea turtle season, March 15 to October 1.
2. Informational signs will be posted on the pier educating the public on safe fishing practices that will reduce or prevent sea turtle injuries and who to notify in the event a dead, injured or entangled sea turtle is located. Signs are to be in coordination with and approved by the Sea Turtle Coordinator at Padre Island National Seashore.
3. Trash receptacles on the pier and property will be of the type that will fully contain trash and monofilament line, and not be easily blown down or into to the water or adjacent beach.
4. Lighting from vending machines and interior lighting of at the concession area will be minimized.
5. Pier lighting will consist of amber colored lights mounted in well focused fixtures (with full cutoff design, light baffles, and other light control elements that direct the light downward) on the section of pier that crosses the beach and the entire length of the pier.
6. All individuals involved in project activities will be provided information as to the identification status, and habitat utilization of listed species.
7. Materials and equipment required for the project will be staged in upland areas and transported as needed to the proposed work sites.
8. Construction vehicles will access the beach from public roads closes to the work sites to greatly reduce unnecessary transport along the beachfront.
9. The number of vehicles transiting from upland areas to the project sites will be kept to a minimum, all vehicles will use the same pathways and access will be confined to the immediate project areas.
10. Contractors will provide a single point of contact responsible for communications, monitoring and reporting endangered species.
11. If a manatee is sighted, all construction activities will cease until the animal has left project area.
12. Training materials will include instructions not to feed or water the manatee and to call the Service's Ecological Services Field Office at (361) 994-9005.

Specific Use Permit

Discussion and action regarding a specific use permit for a private (commercial) fishing pier at East Tract 17, Padre Beach Estate Subdivision and Submerged Lands Belong to the Texas General Land Office.



Assumption

- This review of a specific use permit assumes that the rezoning to PBN has been approved.
- If the rezoning is not approved by the City Council at the end of the process, the review of this specific use permit will not be valid.



Specific Use Permit

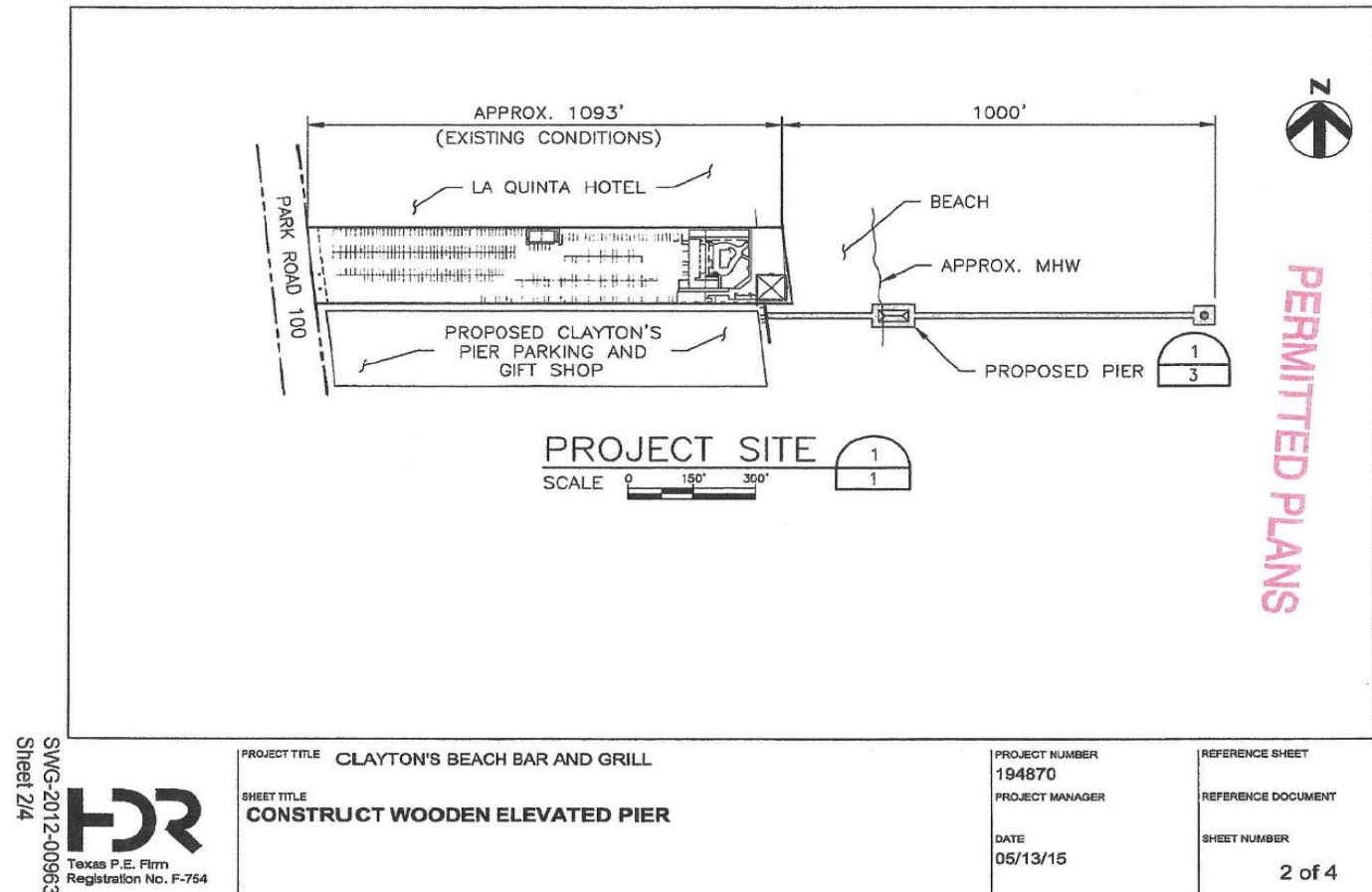
- This is a site specific review.
- North American Industry Classification System (2017) defines "Fishing Pier" a part of "All Other Amusement and Recreation Industries (713990)" and this justifies this categorization.
- Table 5.1 (Schedule of Uses) of the Padre Boulevard and Entertainment District Code allows “outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.” at the Padre Boulevard North Character Zone (PBN) through a Specific Use Permit.
- In authorizing the location of any of the uses listed as specific use permits, the City Council may impose development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions. [Sec. 20-24(B)(2)]



Site Plan Review

■ The development is consists of;

- (1) Pier,
- (2) Concession
- (3) Parking, and
- (4) Gift Shop.



Raised Issues

- The issues raised by citizens are (1) Sharks, (2) Public Safety, (3) Trash and (4) Parking/Traffic.



Staff Recommendation (SUP)

Staff recommends the Task Force approve the specific use permit with the following conditions:

1. Signs that forbid littering and unsafe activities shall be installed on the pier;
2. Trash bins shall be located for the convenience of the users;
3. The owner(s) proactively remove trash on the pier, beach and water area at least twice a day, and as necessary at any time during the day;
4. Fish cleaning areas shall be designated, and organic materials (scales, fins, heads, bones, guts, blood and/or dead fishes etc.) shall be disposed properly into a labeled waste container;
5. The concession area shall be the only place that commercial activities are allowed;
6. Suitably trained first-aid staff shall be available at all times that the premises are open to the public;
7. The entire parking lot shall be paved and landscaped to be compliance with Chapter 20 Zoning of the City of South Padre Island Code of Ordinance;
8. Noise shall not exceed seventy-eight (78) decibels on District “B” and eighty-five (85) decibels on District “PBN” when measured from property under separate ownership;
9. Noise shall be reduced to seventy-one (71) decibels on District “B” at nighttime (as defined in Sec.12-2); and
10. Other conditions finalized by the City Council.



DSRTF Recommendation

Development Standards Review Task Force recommended the City Council deny the application. However, if it is to be approved by the City Council, DSRTF recommended the followings to be added to the staff recommended conditions:

1. Insurance required with the City named as additional insured;
2. Barriers placed on pier to mitigate trash;
3. No fish cleaning stations or dumping of bait buckets on pier/over the water;
4. Council to review/consider the 12 Fish & Wildlife recommendations;
5. Verify the enforcement of the SUP and/or the fee/fine; and
6. DO NOT approve SUP until the City has jurisdiction over the entirety of the pier.

These recommendations only apply if the City Council does not deny.

The motion received a majority (3 to 1).



Fire Dept. Recommendation

Requirement 1:

- Two fire hydrants are required for fire protection:
 - One fire hydrant on Padre Boulevard near the entrance to Claytons Pier
 - One fire hydrant placed as close as possible to Pier access. If possible, between Claytons Beach Bar and the Pier, so both property's benefit

Requirement 2:

- Fire access road a minimum of 20 feet in width, from Padre Boulevard to the Pier, with an approved area for turning the apparatus. The entire curb length must be maintained as a no parking fire lane.

Due to the planned use of combustible construction material to build the Pier, as well as the possibility of using the pier for professional fireworks displays, the following recommendation is at the discretion and personal preference of the owner:

Recommendation 1:

- Standpipe System with Hose Connection Stations: A class I standpipe system in accordance with NFPA 14 or Class III standpipe system in accordance with NFPA 14 with the FDC (fire department connection) at the beginning of the pier in the parking lot. Hose connection stations on required standpipes shall be provided at the water end of the pier and along the entire length of the pier, at spacing not to exceed 150' and as close as practical to the land end. Each hose connection shall consist of a valved 2 ½ inch fire department hose outlet connection.





September 11, 2017

Dr. Kim,

After reviewing the construction plans and consulting with the 2012 International Fire Code, we have determined the following requirements for Clayton's Pier:

3604.3 Access and water supply. Piers and wharves shall be provided with fire apparatus access roads and water-supply systems with on-site fire hydrants where required by the *fire code official*. Such roads and water systems shall be provided and maintained in accordance with Sections 503 and 507

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches

507.1. Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

3604.5 Communications. A telephone not requiring a coin to operate or other *approved*, clearly identified means to notify the fire department shall be provided on the site in a location *approved* by the *fire code official*.

Requirement 1:

- Two fire hydrants are required for fire protection:
 - One fire hydrant on Padre Boulevard near the entrance to Claytons Pier
 - One fire hydrant placed as close as possible to Pier access. If possible, between Claytons Beach Bar and the Pier, so both property's benefit

Requirement 2:

- Fire access road a minimum of 20 feet in width, from Padre Boulevard to the Pier, with an approved area for turning the apparatus. The entire curb length must be maintained as a no parking fire lane.

Due to the planned use of combustible construction material to build the Pier, as well as the possibility of using the pier for professional fireworks displays, the following recommendation is at the discretion and personal preference of the owner:

Recommendation 1:

- A class I standpipe system in accordance with NFPA 14 or Class III standpipe system in accordance with NFPA 14 with the FDC connection at the beginning of the pier in the parking lot. Hose connection stations on required standpipes shall be provided at the water end of the pier and along the entire length of the pier, at spacing not to exceed 150' and as close as practical to the land end. Each hose connection shall consist of a valved 2 ½ inch fire department hose outlet connection.

Doug Fowler
Fire Chief
South Padre Island Fire Department

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, REFERRING TO THE SPECIFIC USE PERMIT BY MAKING A REFERENCE IN THE ZONING MAP OF THE CITY OF SOUTH PADRE ISLAND, TEXAS; PROVIDING FOR A SPECIFIC USE PERMIT FOR A PRIVATE (COMMERCIAL) FISHING PIER AT EAST TRACT 17, PADRE BEACH ESTATE SUBDIVISION AND SUBMERGED LANDS BELONG TO THE TEXAS GENERAL LAND OFFICE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City Council of the City of South Padre Island ("City Council"), has investigated and determined the City of South Padre Island, Texas ("City") should refer to the Specific Use Permit by making a reference in the Zoning Map as provided herein and pursuant to a notice being duly posted according to law, conducted a public hearing wherein a request was made by Clayton Brashear (the "Applicant") to allow a Specific Use Permit for a Private (Commercial) Fishing Pier on a tract of land zoned Districts "PBN" (Padre Boulevard North);

WHEREAS, the tracts of land are in the City of South Padre Island, Texas, being East Tract 17, Padre Beach Estate Subdivision, and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property");

WHEREAS, the City Council finds that Applicant has agreed to comply with all provisions of the ordinances of the City, including but not limited to the Zoning Ordinance, and has further agreed to comply with the additional restrictions set forth herein;

WHEREAS, the City Council has investigated and determined that it would be fair to accommodate the Private (Commercial) Fishing Pier by granting the Specific Use Permit;

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas and the requirements of Sec. 20-18 of the City Code of Ordinances (Zoning) have given requisite notice by publication and otherwise, and holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Specific Use Permit should be referenced on the Zoning Map as required by Section 20-24 of the City Code of Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. The locations of the Specific Use Permit are referenced on the Zoning Map as shown on Exhibit “A”.

Section 3. Applicant is granted a Specific Use Permit to allow a Private (Commercial) Fishing Pier. A condition of granting this Specific Use Permit is that the Applicant and the use of the land(s) must abide by each of the following:

1. No-trash/safety signs shall be installed on the pier;
2. Trash bins shall be located for the convenience of the users;
3. The owner(s) proactively remove trash on the pier, beach and water area at least twice a day, and as necessary at any time during the day;
4. Fish cleaning areas shall be designated, and organic materials (scales, fins, heads, bones, guts, blood and/or dead fishes etc.) shall be disposed properly into a labeled waste container;
5. The concession area shall be the only place that commercial activities are allowed;
6. Suitably trained first-aid staff shall be available at all times that the premises are open to the public;
7. The entire parking lot shall be paved and landscaped to be compliance with Chapter 20 Zoning of the City of South Padre Island Code of Ordinance; and/or
8. Other conditions finalized by the City Council.

Section 4. All terms of this Specific Use Permit shall be complied with prior to issuance of a certificate of occupancy and shall be maintained thereafter. This Specific Use Permit will be declared null and void if:

1. Any failure to comply with any term or condition of this Ordinance, as it exists or may be amended; or
2. This Specific Use Permit was obtained by fraud or deception.

Section 5. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 6. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 7. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 8. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of ____ 2017.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of ____ 2017.

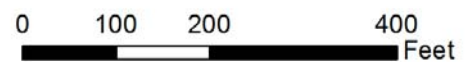
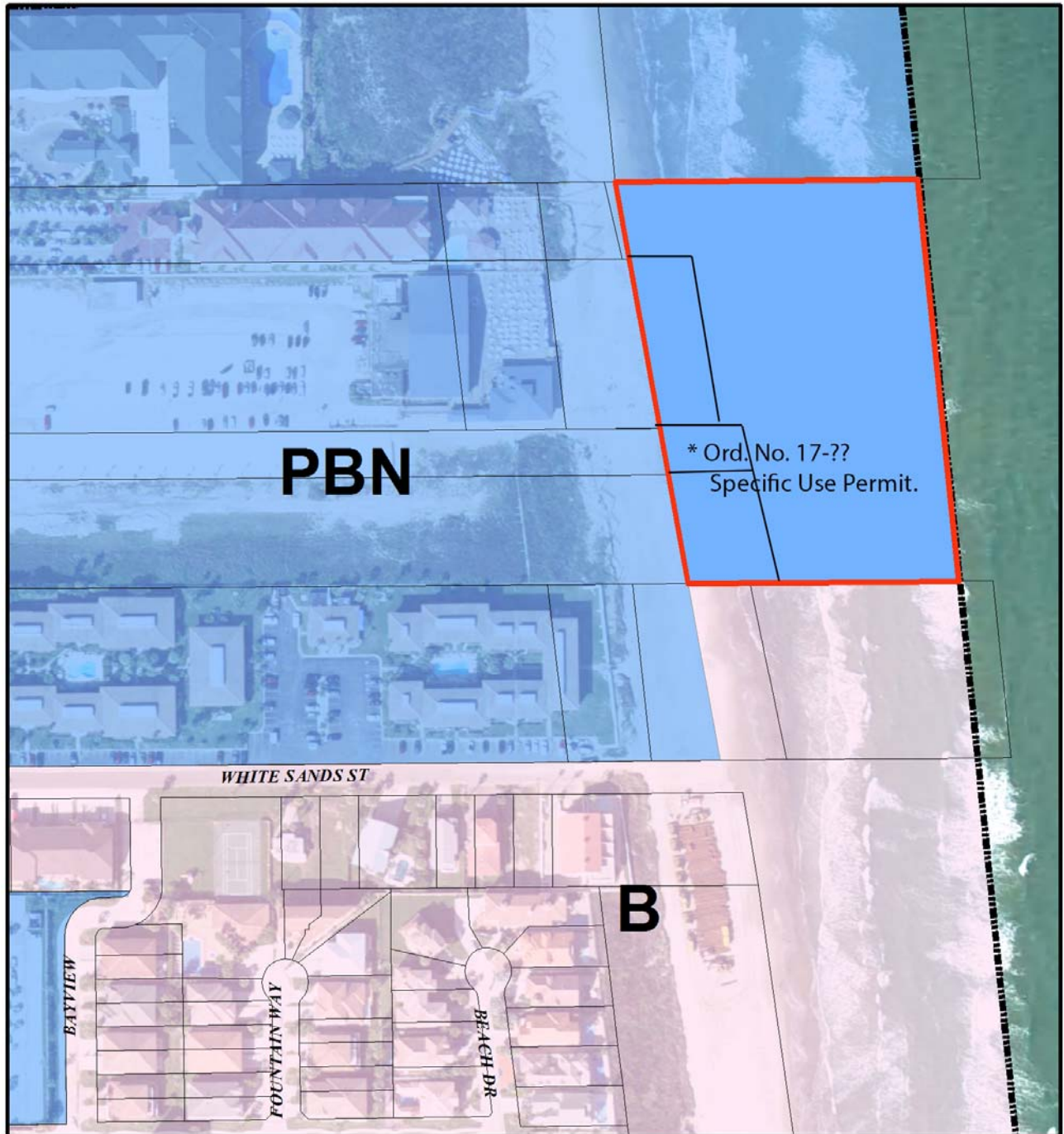
ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

BHARAT R. PATEL, MAYOR

Exhibit "A"



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: September 21, 2017

ITEM: 7

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

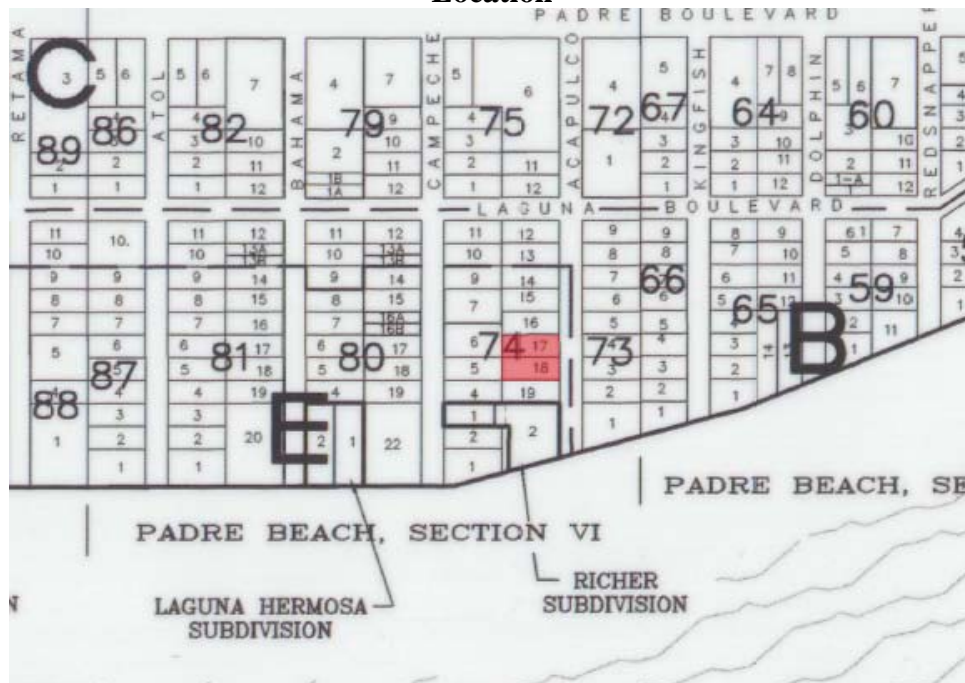
Discussion and action regarding the proposed replat of "Lots 17 and 18, Block 74, Padre Beach, Section VI" to subdivide them into "Lots 17A, 17B, 18A and 18B".

DISCUSSION:

The Ownership

1. The lots are belong to Javier Perez according to the Certificate as to Title and Liens prepared by Rio Grande Valley Abstract Co., Inc. on August 17, 2017.

Location



The Requirements

1. The Lots 17 and 18 have been zoned for "E" District allowing low density residential developments such as single-family and townhouse dwelling units.

PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM



2. Sec. 20-10 (District "E")
 - (D) Area Regulation
 - (4) Area of lot:
 - (a) For a single-family dwellings the minimum area of a lot shall be 5,000 square feet, or as recorded in the County Courthouse as of November 7, 1979.
 - (b) For attached single-family Townhouse dwellings, the minimum area of a lot shall be 2,500 square feet per dwelling units.
 - (5) Width of lot:

METES AND BOUNDS DESCRIPTION

0.287 ACRE (12,500 SQ. FT.) AND BEING ALL OF LOTS NUMBERED SEVENTEEN (17) AND EIGHTEEN (18), BLOCK NUMBER SEVENTY-FOUR (74), PADRE BEACH, SECTION VI, AN ADDITION TO THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 15, PAGE 4 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, AND SAID 0.287 ACRE TRACT BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS;

BEGINNING AT A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID LOT 17 AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF ACAPULCO STREET (50 FT. R.O.W.), FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ACAPULCO STREET, SOUTH 83 DEG. 56 MIN. WEST, A DISTANCE OF 100.0 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID LOT 18, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID LOT 18, NORTH 06 DEG. 00 MIN. WEST, A DISTANCE OF 125.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE NORTHWEST CORNER OF SAID LOT 18, FOR THE NORTHWEST CORNER OF THIS TRACT;

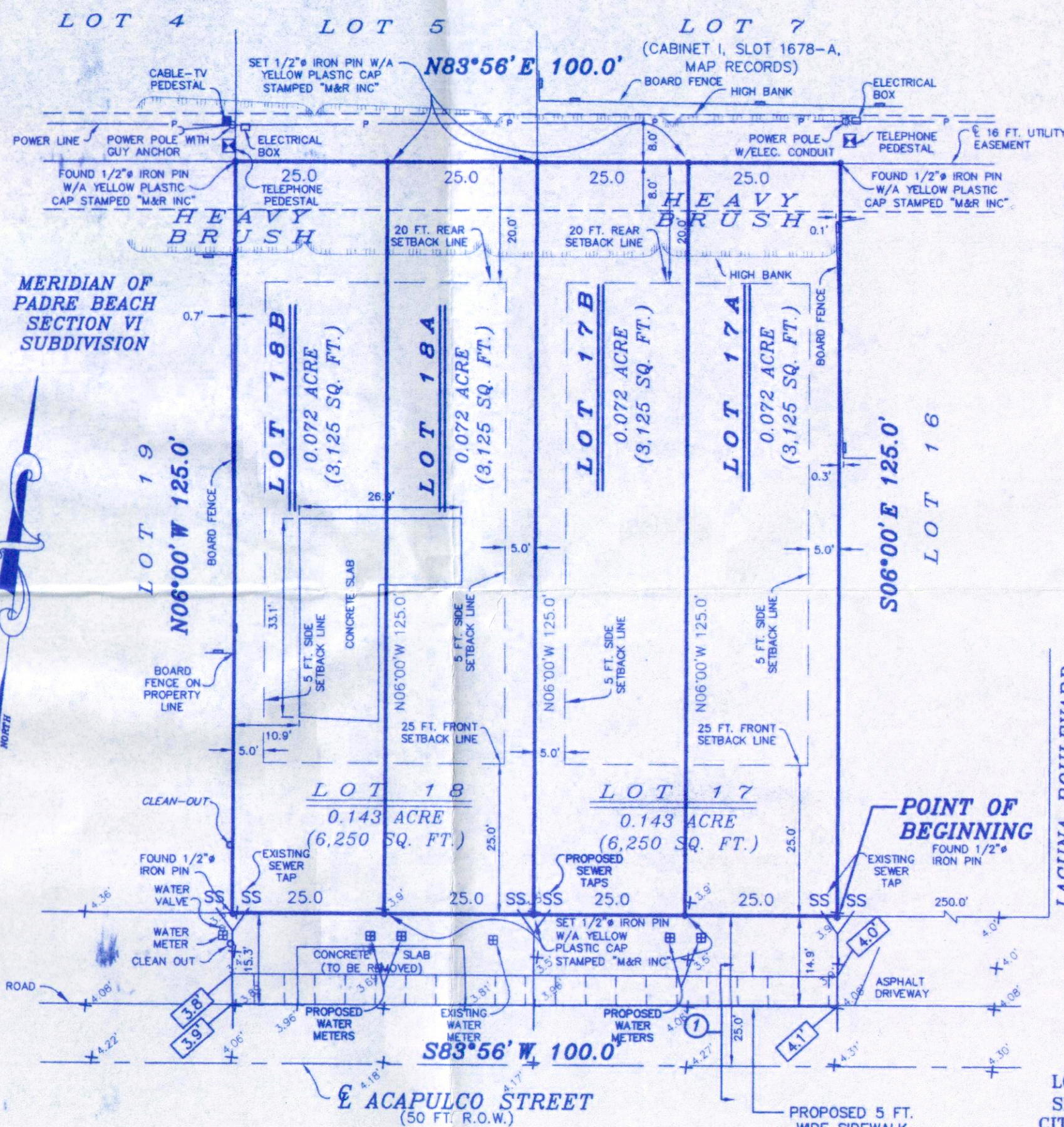
THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOTS 17 AND 18, NORTH 83 DEG. 56 MIN. EAST, A DISTANCE OF 100.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE NORTHEAST CORNER OF SAID LOT 17, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE EAST BOUNDARY LINE OF SAID LOT 17, SOUTH 06 DEG. 00 MIN. EAST, A DISTANCE OF 125.0 FEET TO THE POINT OF BEGINNING;

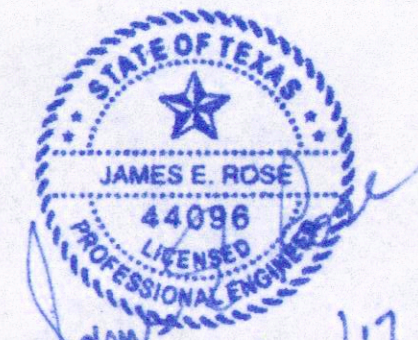
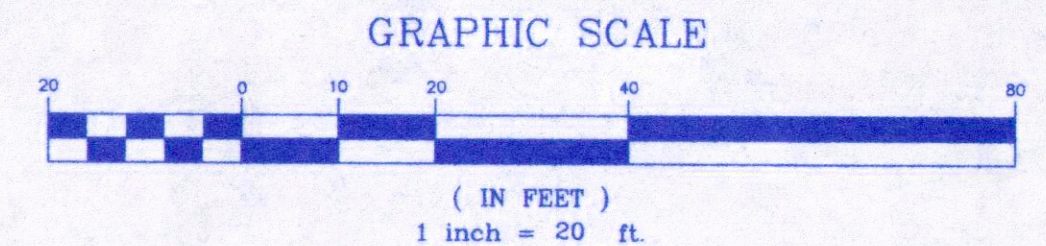
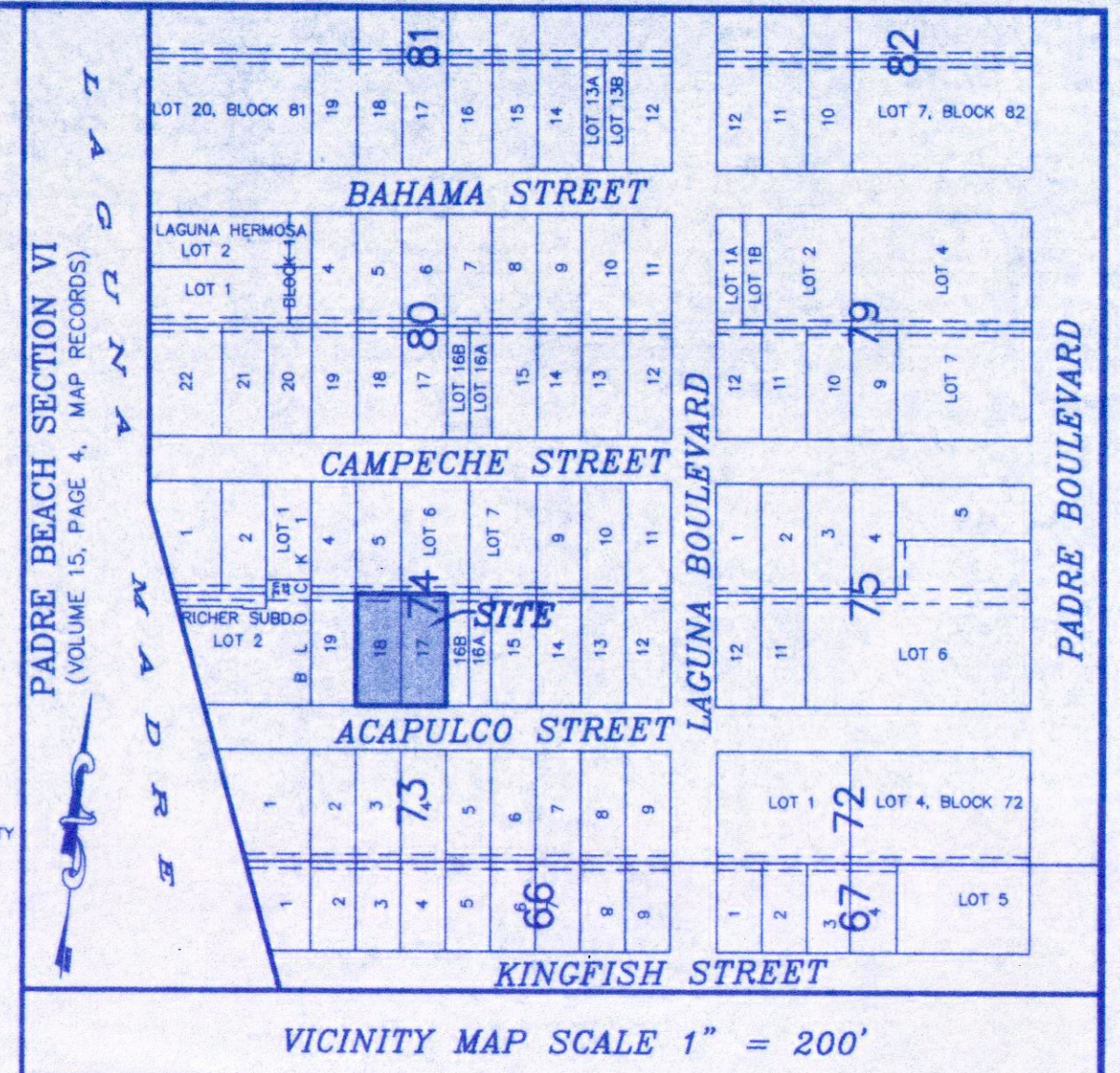
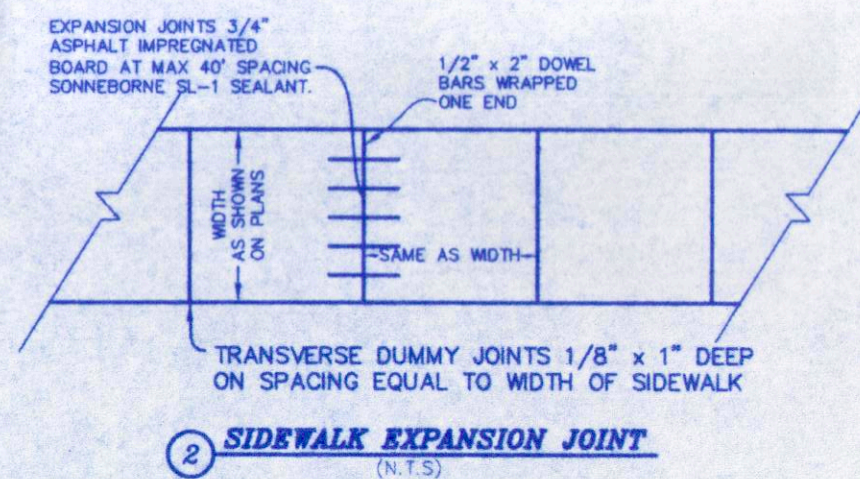
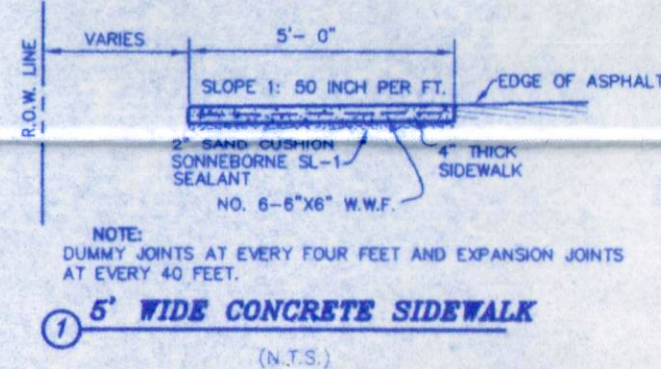
CONTAINING 0.287 ACRE (12,500 SQ. FT.) MORE OR LESS.

NOTES:

1. MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF ACAPULCO STREET WAS HELD FOR BASIS OF BEARING.
2. THIS TRACT LIES IN FLOOD ZONE "AE" (ELEV. 8) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0001-D, REVISED MARCH 9, 1999.
3. THIS TRACT IS ZONED "E"- LOW DENSITY RESIDENTIAL-SINGLE-FAMILY AND TOWNHOUSE DWELLING DISTRICT PER SECTION 20 OF THE CITY OF SOUTH PADRE ISLAND CODES OF ORDINANCES.
4. ZONE "E" BUILDING SETBACKS PER SECTION 20-10 OF ZONING CODE PER THE CITY OF SOUTH PADRE ISLAND CODES OF ORDINANCES.
5. BENCHMARK REFERENCE: N.G.S. BENCHMARK "D 1436" AND IS A STAINLESS STEEL ROD LOCATED HALF WAY BETWEEN HUISACHE AND MESQUITE STREETS ALONG THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD. (ELEV. 2.38' N.G.V.D. 1929)
6. LOTS 17A, 17B, 18A AND 18B ARE DESIGNATED FOR TOWNHOUSE USE ONLY.



PROPOSED SIDEWALK DETAILS



PRELIMINARY PLAT AND SIDEWALK PLAN OF "LOTS 17A, 17B, 18A AND 18B, BLOCK 74, PADRE BEACH SECTION VI" BEING A REPLAT OF

LOTS NUMBERED SEVENTEEN (17) AND EIGHTEEN (18), BLOCK NUMBER SEVENTY-FOUR (74), PADRE BEACH, SECTION VI, AN ADDITION TO THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 15, PAGE 4 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 20'
PREPARED FOR:

JAVIER PEREZ

Mejia & Rose, Incorporated

Engineering Surveying

T.B.P.E. Reg. No. F-002670

T.B.P.L.S Reg. No. 10023900

1643 West Price Road (956) 544-3022

P.O. Box 3761 Brownsville, Texas 78520

Fax (956) 544-3068

email: mandrinc@cngmail.com

G.F. NO. N/A

JOB NO. 20196
S.TROWBRIDGE

The undersigned hereby certifies that the survey described hereon was made on the ground on 08-18-17; that the only improvements on the ground are as shown; that there are no visible encroachments, visible overlappings, apparent conflicts, or visible easements, except as shown hereon. THIS CERTIFICATION IS ONLY VALID WITH AN ORIGINAL SIGNATURE AND IF THE DRAWING CONTAINS NO ERASURES OR ADDITIONS.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3900

OWNER:
JAVIER PEREZ
PO BOX 428
PORT ISABEL, TX., 78578
(956) 571-7762 PHONE
(956) 544-3068 FAX

METES AND BOUNDS DESCRIPTION

0.287 ACRE (12,500 SQ. FT.) AND BEING ALL OF LOTS NUMBERED SEVENTEEN (17) AND EIGHTEEN (18), BLOCK NUMBER SEVENTY-FOUR (74), PADRE BEACH, SECTION VI, AN ADDITION TO THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 15, PAGE 4 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, AND SAID 0.287 ACRE TRACT BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS;

BEGINNING AT A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID LOT 17 AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF ACAPULCO STREET (50 FT. R.O.W.), FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ACAPULCO STREET, SOUTH 83 DEG. 56 MIN. WEST, A DISTANCE OF 100.0 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID LOT 18, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE WEST BOUNDARY LINE OF SAID LOT 18, NORTH 06 DEG. 00 MIN. WEST, A DISTANCE OF 125.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE NORTHWEST CORNER OF SAID LOT 18, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOTS 17 AND 18, NORTH 83 DEG. 56 MIN. EAST, A DISTANCE OF 100.0 FEET TO A ONE-HALF INCH IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND AT THE NORTHEAST CORNER OF SAID LOT 17, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE EAST BOUNDARY LINE OF SAID LOT 17, SOUTH 06 DEG. 00 MIN. EAST, A DISTANCE OF 125.0 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.287 ACRE (12,500 SQ. FT.) MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, EDUARDO H. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

EDUARDO H. MEJIA
REG. PROFESSIONAL LAND SURVEYOR
NO. 3900

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

CARLOS J. GALVAN JR.
GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS
COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE _____ DAY OF _____ 20____.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

STATE OF TEXAS
COUNTY OF CAMERON

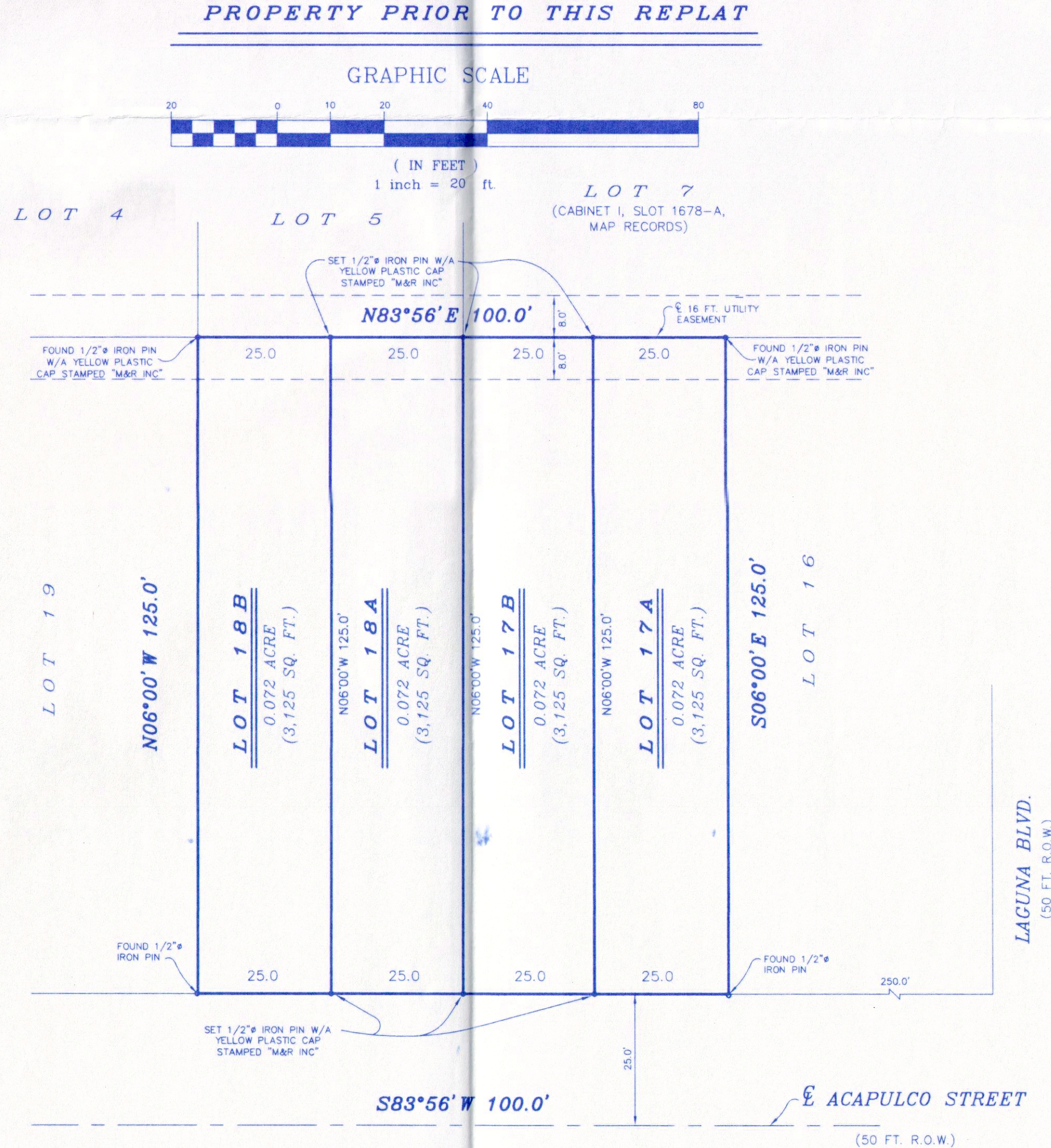
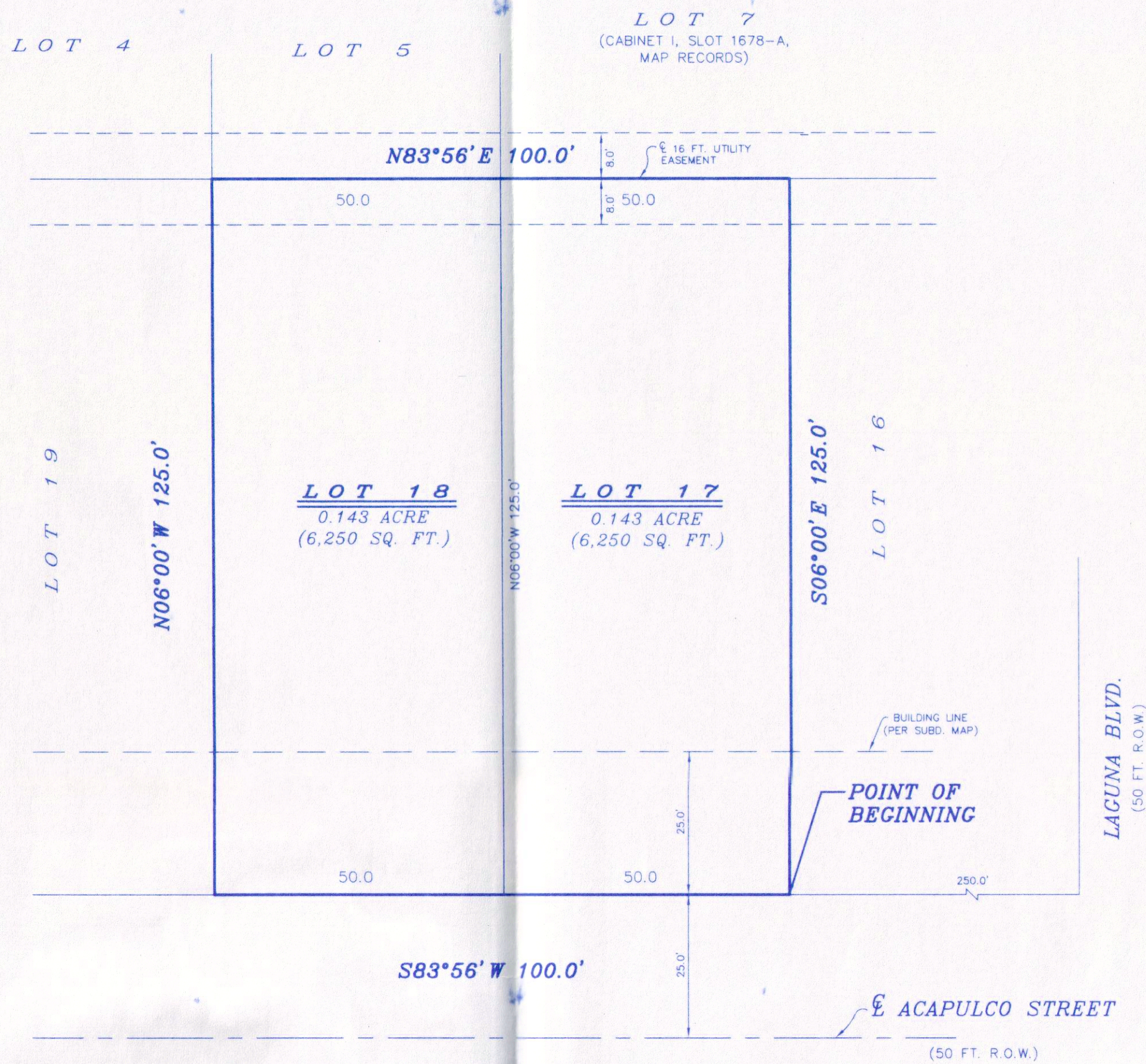
THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOTS 17 AND 18, BLOCK 74, PADRE BEACH SUBDIVISION, SECTION VI", DEPICTED HEREON.

APPROVED: TONY YZAGUIRRE, JR. DATE 9/6/17
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT.

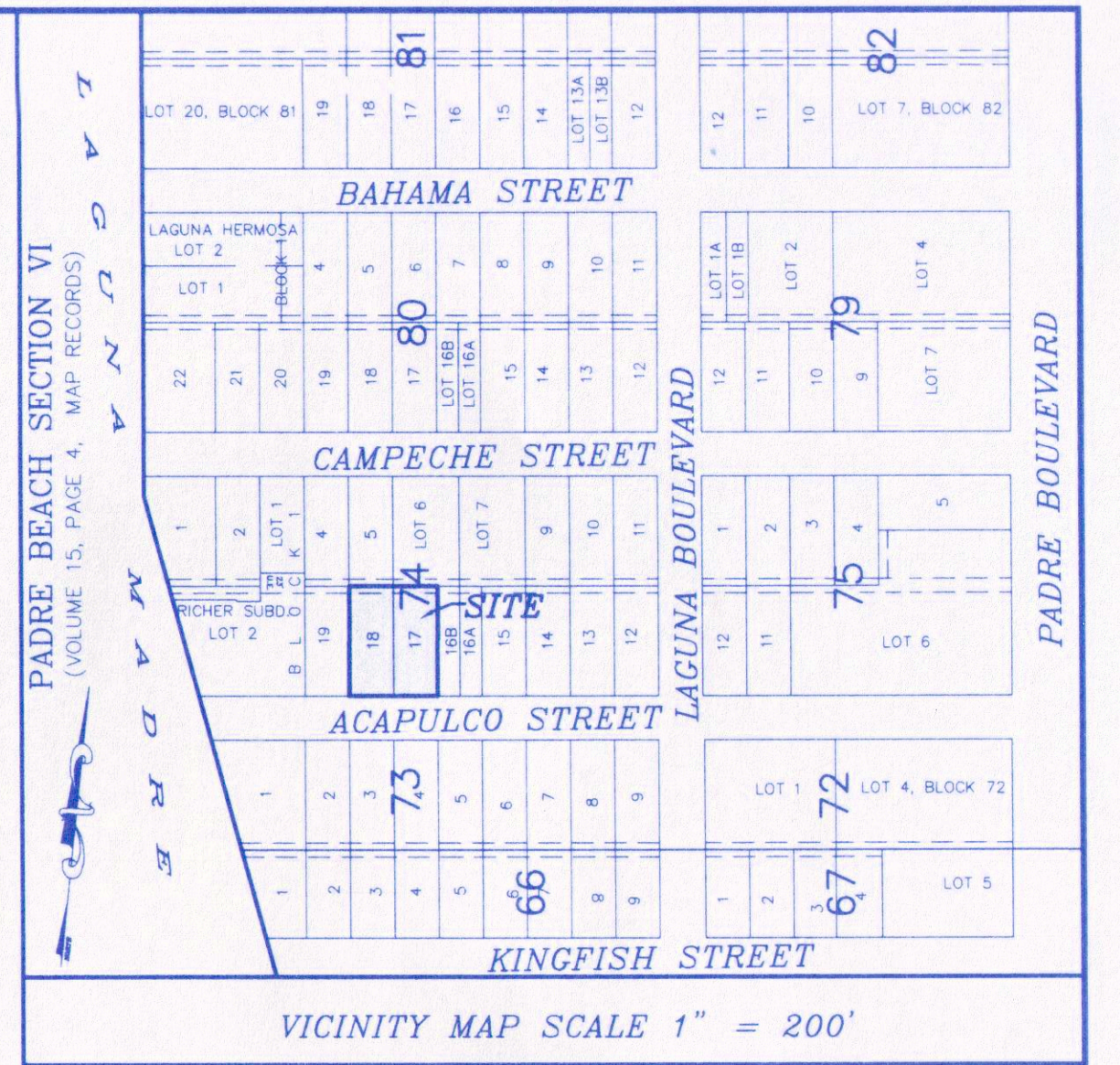
STATE OF TEXAS
COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, certify that the plat bearing this certificate was filed and duly recorded on the _____ day of _____, 2017 at _____ O'clock _____ M in the Map Records of Cameron County, Texas, Document No. _____.

By: _____ Deputy



REPLAT



STATE OF TEXAS
COUNTY OF CAMERON

I, THE UNDERSIGNED, JAVIER PEREZ OF M.J.P. REAL ESTATE & DEVELOPMENT, L.L.C., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS "LOTS 17A, 17B, 18A AND 18B, BLOCK 74, PADRE BEACH, SECTION VI, SUBDIVISION", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETJ, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

JAVIER PEREZ, OWNER

9-11-17
DATE

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAVIER PEREZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 11 DAY OF SEPTEMBER 2017.

NOTARY PUBLIC, STATE OF TEXAS



NOTES:

- MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF ACAPULCO STREET WAS HELD FOR BASIS OF BEARING.
- THIS TRACT LIES IN FLOOD ZONE "AE" (ELEV. 8) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0001-D, REVISED MARCH 9, 1999.
- THIS TRACT IS ZONED "E" - LOW DENSITY RESIDENTIAL-SINGLE-FAMILY AND TOWNHOUSE DWELLING DISTRICT PER SECTION 20 OF THE CITY OF SOUTH PADRE ISLAND CODES OF ORDINANCES.
- ZONE "E" BUILDING SETBACKS PER SECTION 20-10 OF ZONING CODE PER THE CITY OF SOUTH PADRE ISLAND CODES OF ORDINANCES.
- BENCHMARK REFERENCE: N.G.S. BENCHMARK "D 1436" AND IS A STAINLESS STEEL ROD LOCATED HALF WAY BETWEEN HUISACHE AND MESQUITE STREETS ALONG THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD. (ELEV. 2.38' N.G.V.D. 1929)
- LOTS 17A, 17B, 18A AND 18B ARE DESIGNATED FOR TOWNHOUSE USE ONLY.

AUGUST 18, 2017

FINAL PLAT
OF
"LOTS 17A, 17B, 18A AND 18B,
BLOCK 74, PADRE BEACH SECTION VI"
BEING A REPLAT OF

LOTS NUMBERED SEVENTEEN (17) AND EIGHTEEN (18), BLOCK NUMBER SEVENTY-FOUR (74), PADRE BEACH, SECTION VI, AN ADDITION TO THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN VOLUME 15, PAGE 4 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 20'
PREPARED FOR:

JAVIER PEREZ
Mejia & Rose, Incorporated

Engineering Surveying
T.B.P.E. Reg. No. F-002670
T.B.P.L.S Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3068
email: mandrinc@cmgmail.com

OWNER:
JAVIER PEREZ
PO BOX 428
PORT ISABEL, TX., 78578
(956) 571-7762 PHONE
(956) 544-3068 FAX

G.F. NO. N/A

JOB NO. 20195
S.TROWBRIDGE

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: September 21, 2017

ITEM: 8

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

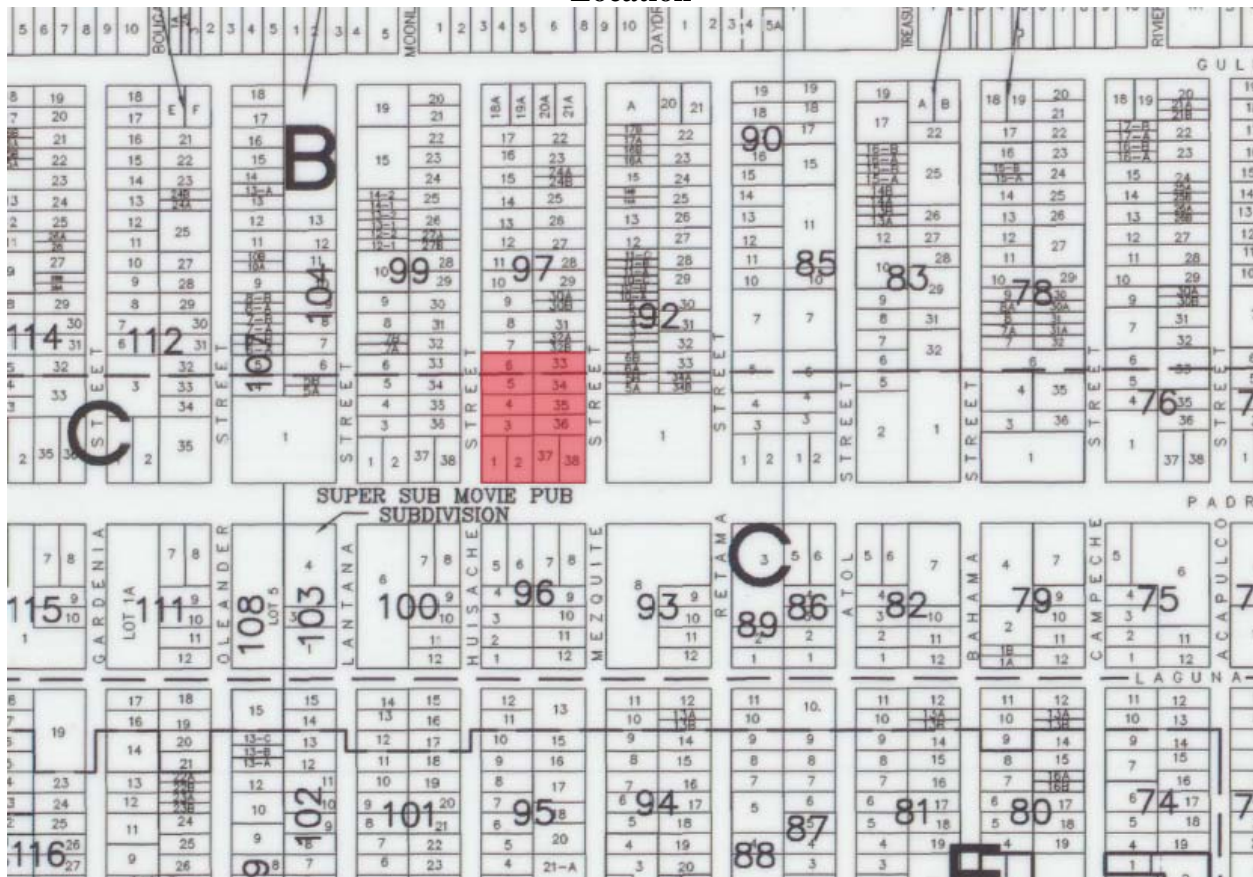
Discussion and action regarding the proposed replat of "Lots 1-6, 33-38, Block 97, Padre Beach Section VII" to merge them into "Lot 1A".

DISCUSSION:

The Ownership

1. The lots are belong to Catholic Diocese of Brownsville according to the Certificate as to Title and Liens prepared by Rio Grande Valley Abstract Co., Inc. and dated July 28, 2017.

Location



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

The Requirements

1. The Lots 1-4 and 35-38 have been zoned for “NC (Neighborhood Crossing)” District and lots 5, 6, 33 and 34 have been zoned for “NTZ (Neighborhood Transitioning Zone).”



- ## 2. Area Regulations

6.1.1 Minimum Lot Size

- (i) Area of Lot: 2,500 square feet
- (ii) Width of Lot: 25 feet
- (iii) Depth of Lot: 100 feet

METES AND BOUNDS DESCRIPTION

1.796 ACRES OF LAND, BEING ALL OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), THIRTY-THREE (33), THIRTY-FOUR (34), THIRTY-FIVE (35), THIRTY-SIX (36), AND THIRTY-SEVEN (37), BLOCK NINETY-SEVEN (97), PADRE BEACH SECTION VII SUBDIVISION, IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, MAP RECORDS OF CAMERON COUNTY, TEXAS; AND SAID 1.796 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A PUNCHMARK SET IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 1, AND BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PADRE BOULEVARD (100 FT. R.O.W.) AND THE SOUTH RIGHT-OF-WAY LINE OF HUISACHE STREET (50 FT. R.O.W.), FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID HUISACHE STREET, AND BEING THE NORTH BOUNDARY LINE OF SAID LOTS 1, 3, 4, 5, AND 6, NORTH 83 DEG. 56 MIN. EAST, A DISTANCE OF 312.08 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID LOT 6, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID HUISACHE STREET, ALONG THE EAST BOUNDARY LINE OF SAID LOTS 6, AND 33, SOUTH 06 DEG. 22 MIN. EAST, A DISTANCE OF 250.0 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID LOT 33, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MEZQUITE STREET (50 FT. R.O.W.), FOR THE SOUTHEAST CORNER OF THIS TRACT;

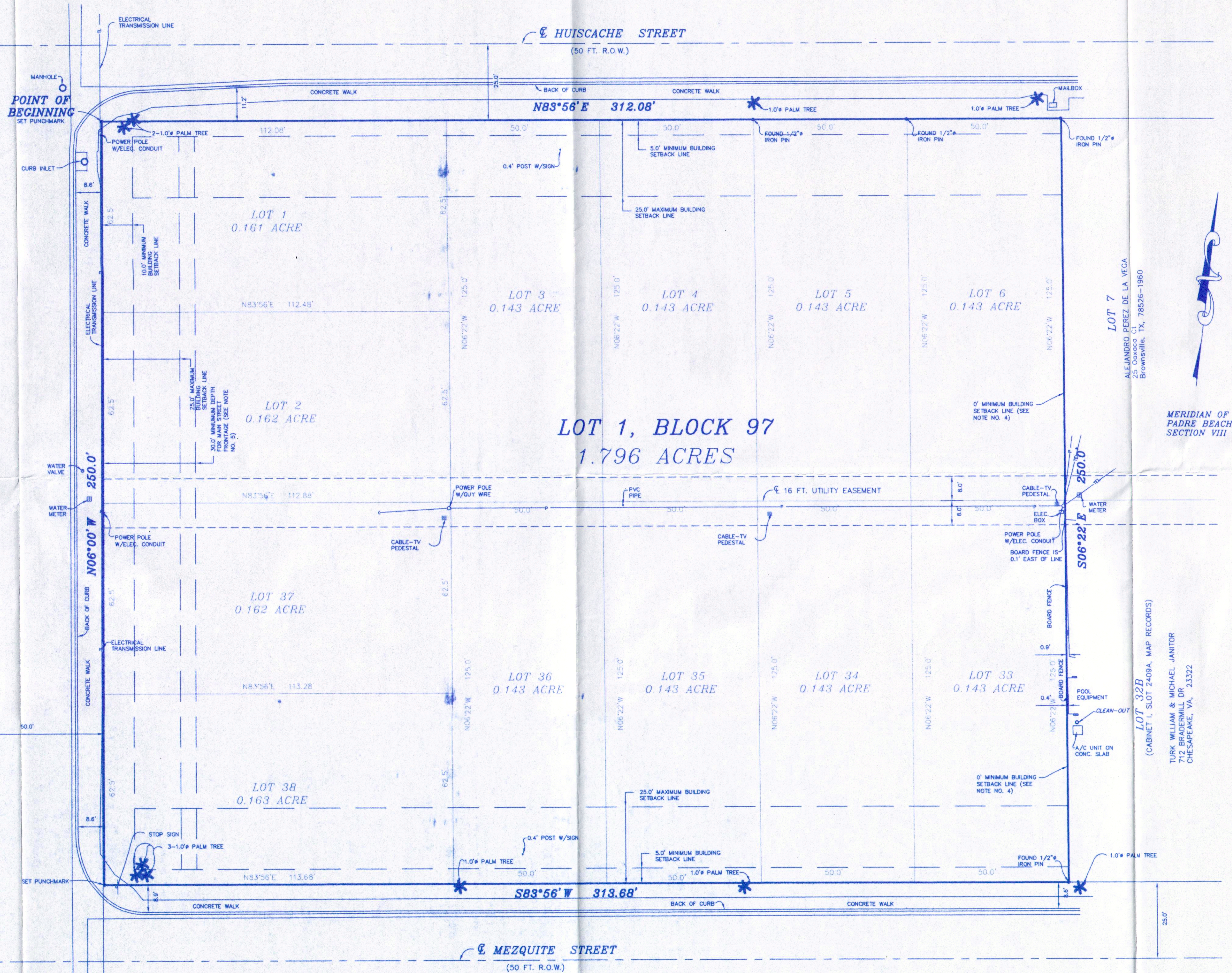
THENCE, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID MEZQUITE STREET, AND THE SOUTH BOUNDARY LINE OF SAID LOTS 33, 34, 35, 36, AND 38, SOUTH 83 DEG. 56 MIN. WEST, A DISTANCE OF 313.68 FEET TO A PUNCHMARK SET IN CONCRETE AT THE SOUTHWEST CORNER OF SAID LOT 38, AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID MEZQUITE STREET WITH THE EAST RIGHT-OF-WAY LINE OF SAID PADRE BOULEVARD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID PADRE BOULEVARD AND BEING THE WEST BOUNDARY LINE OF SAID LOTS 1, 2, 37, AND 38, NORTH 06 DEG. 00 MIN. WEST A DISTANCE OF 250.0 FEET TO THE POINT OF BEGINNING;

CONTAINING 1.796 ACRES OF LAND, MORE OR LESS.

NOTES:

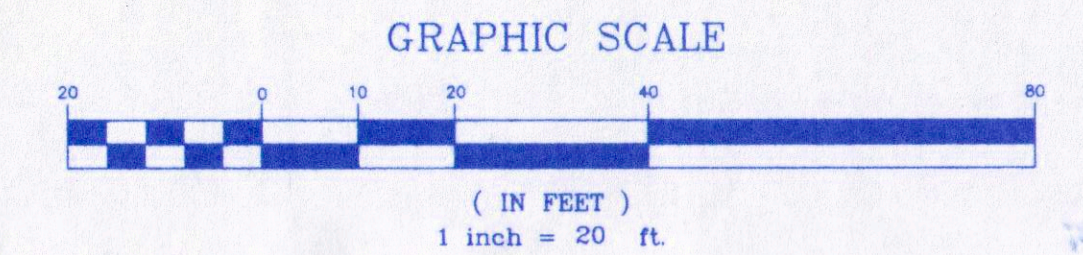
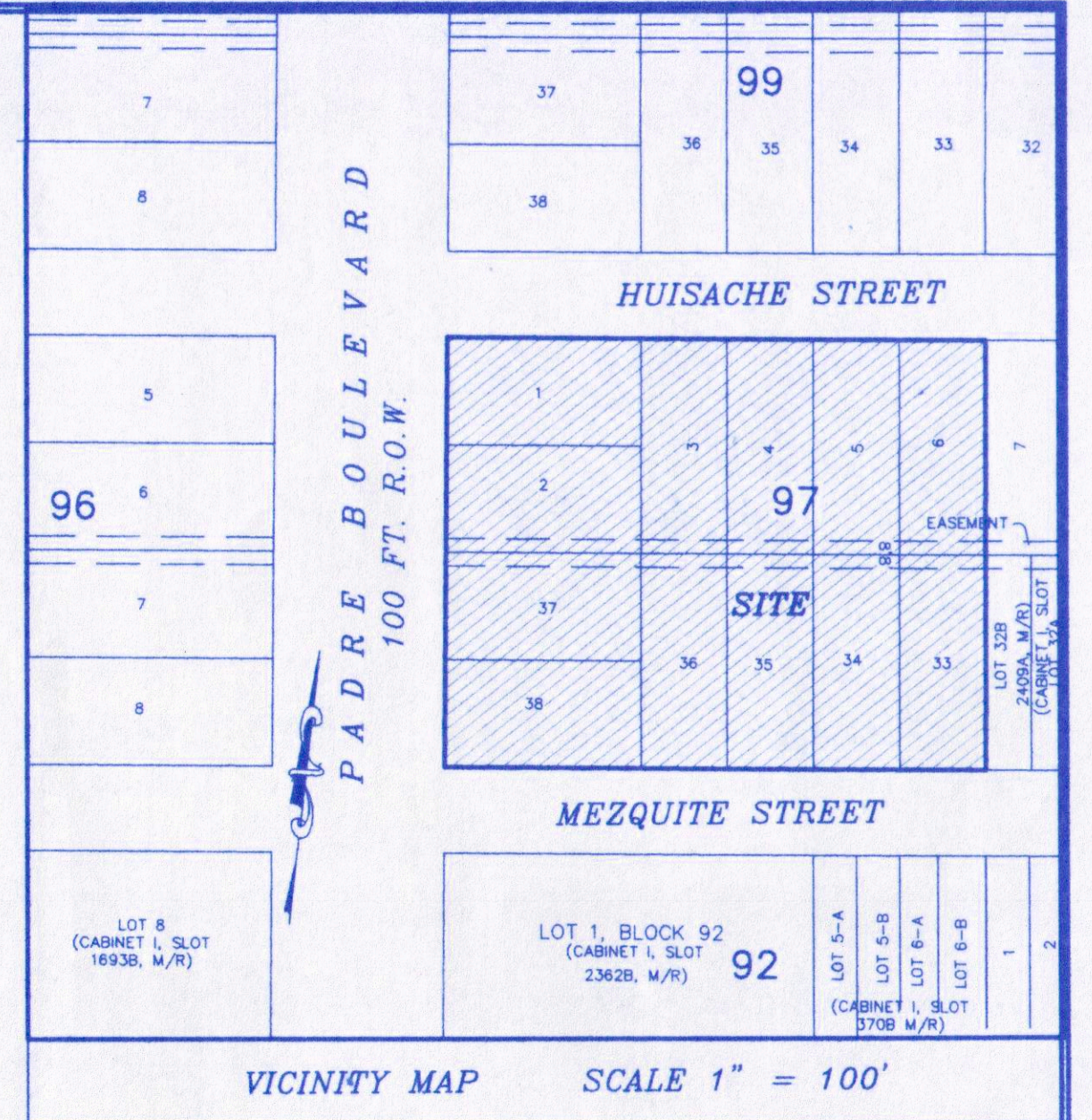
1. MONUMENTATION FOUND ALONG THE SOUTH RIGHT-OF-WAY LINE OF HUISACHE STREET WAS HELD FOR BASIS OF BEARING.
2. THIS TRACT LIES IN FLOOD ZONE "AE" (ELEV. 8) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 48015, PANEL NO. 00010, REVISED MARCH 9, 1998.
3. THIS TRACT IS ZONED "NC" NEIGHBORHOOD CROSSING WITH A REQUIRED MAIN STREET FRONTAGE ALONG MEZQUITE STREET AS PER THE CITY OF SOUTH PADRE ISLAND'S ZONING CODE.
4. SIDE OR REAR SETBACKS SHALL BE BASED ON MINIMUM FIRE SEPARATION REQUIRED BETWEEN BUILDINGS, IF APPLICABLE.
5. GROUND FLOORS OF ALL BUILDINGS DESIGNATED AS MAIN STREET FRONTAGE ON THE REGULATING PLAN SHALL NOT BE OCCUPIED BY RESIDENTIAL UNITS AND/OR LODGING ROOMS IN HOTELS TO A MINIMUM DEPTH OF 30 FEET AS MEASURED FROM THE FRONT BUILDING FACADE LINE. (SECTION 4.3.1 (I) SOUTH PADRE ISLAND CODE)



PRELIMINARY PLAT OF "LOT 1, BLOCK 97, PADRE BEACH SECTION VII" BEING A REPLAT OF

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), THIRTY-THREE (33), THIRTY-FOUR (34), THIRTY-FIVE (35), THIRTY-SIX (36), THIRTY-SEVEN (37), THIRTY-EIGHT (38), BLOCK NINETY-SEVEN (97), PADRE BEACH SECTION VII, IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SURVEYED FOR:
CATHOLIC DIOCESE OF BROWNSVILLE

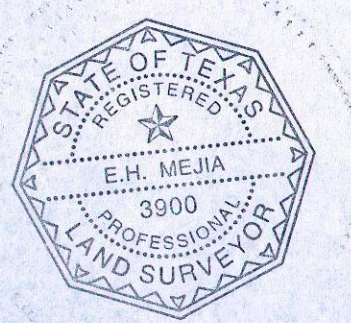


MERIDIAN OF
PADRE BEACH
SECTION VIII

LOT 7
ALEJANDRO PEREZ DE LA VEGA
25 Oaxaca Ct.
Brownsville, TX. 78526-1960

LOT 32B
(CABINET 1, SLOT 2409A, MAP RECORDS)
TURK WILLIAM & MICHAEL JANITOR
712 BRADENMILL DR
CHESAPEAKE, VA. 23322

The undersigned hereby certifies that the survey described hereon was made on the ground on AUGUST 15, 2017, that the only improvements on the ground are as shown; that there are no visible encroachments, visible overlappings, apparent conflicts, or visible easements, except as shown hereon. THIS CERTIFICATION IS ONLY VALID WITH AN ORIGINAL SIGNATURE AND IF THE DRAWING CONTAINS NO ERASURES OR ADDITIONS.



E. A. Mejia
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3900

Mejia & Rose, Incorporated

Engineering T.B.P.E. Reg. No. F-002670
Surveying T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3068
email: mandrino@cngmail.com

G.F. NO. N/A JOB NO. 20185
Gene G. Orive Jr.

METES AND BOUNDS DESCRIPTION

1.796 ACRES OF LAND, BEING ALL OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), THIRTY-THREE (33), THIRTY-FOUR (34), THIRTY-FIVE (35), THIRTY-SIX (36), AND THIRTY-SEVEN (37), BLOCK NINETY-SEVEN (97), PADRE BEACH SECTION VII SUBDIVISION, IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, MAP RECORDS OF CAMERON COUNTY, TEXAS; AND SAID 1.796 ACRES BEING MORE PARTICULARLY LOCATED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A PUNCHMARK SET IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 1, AND BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF PADRE BOULEVARD (100 FT. R.O.W.) AND THE SOUTH RIGHT-OF-WAY LINE OF HUISACHE STREET (50 FT. R.O.W.), FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID HUISACHE STREET, AND BEING THE NORTH BOUNDARY LINE OF SAID LOTS 1, 3, 4, 5, AND 6, NORTH 83 DEG. 56 MIN. EAST, A DISTANCE OF 312.08 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID LOT 6, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID HUISACHE STREET, ALONG THE EAST BOUNDARY LINE OF SAID LOTS 6, AND 33, SOUTH 06 DEG. 22 MIN. WEST, A DISTANCE OF 250.0 FEET TO A ONE-HALF INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID LOT 33, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MEZQUITE STREET (50 FT. R.O.W.), FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID MEZQUITE STREET, AND THE SOUTH BOUNDARY LINE OF SAID LOTS 33, 34, 35, 36, AND 38, SOUTH 83 DEG. 56 MIN. WEST, A DISTANCE OF 313.68 FEET TO A PUNCHMARK SET IN CONCRETE AT THE SOUTHWEST CORNER OF SAID LOT 38, AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID MEZQUITE STREET WITH THE EAST RIGHT-OF-WAY LINE OF SAID PADRE BOULEVARD, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID PADRE BOULEVARD AND BEING THE WEST BOUNDARY LINE OF SAID LOTS 1, 2, 37, AND 38, NORTH 06 DEG. 00 MIN. WEST, A DISTANCE OF 250.0 FEET TO THE POINT OF BEGINNING;

CONTAINING 1.796 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATION

I, EDUARDO H. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR, A MEMBER OF THE FIRM MEJIA & ROSE, INC., DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

EDUARDO H. MEJIA
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 3900

8/13/17
DATE

CAMERON COUNTY, TEXAS

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOTS 1, 2, 3, 4, 5, 6, 33, 34, 35, 36, 37, AND 38, BLOCK 97, PADRE BEACH, SECTION VII SUBDIVISION"

WITNESS MY HAND THIS 6 DAY OF Sept 2017.

Tony Yzaguirre, Jr.
ASSESSOR AND COLLECTOR OF TAXES,
CAMERON COUNTY, TEXAS.

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

CARLOS J. GALVAN JR.-GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS
COUNTY OF CAMERON

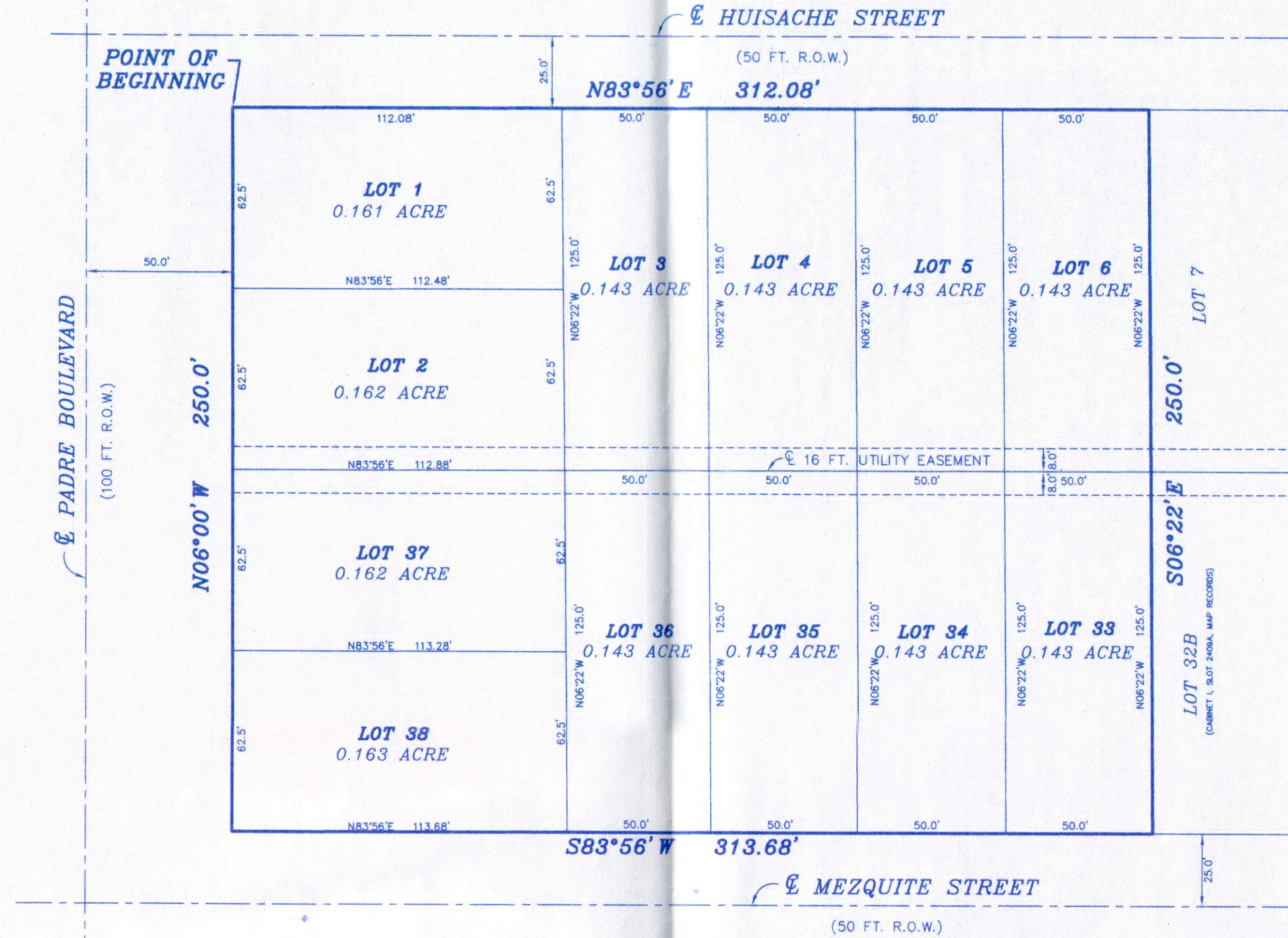
APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE ____ DAY OF _____ 2017.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

STATE OF TEXAS
COUNTY OF CAMERON

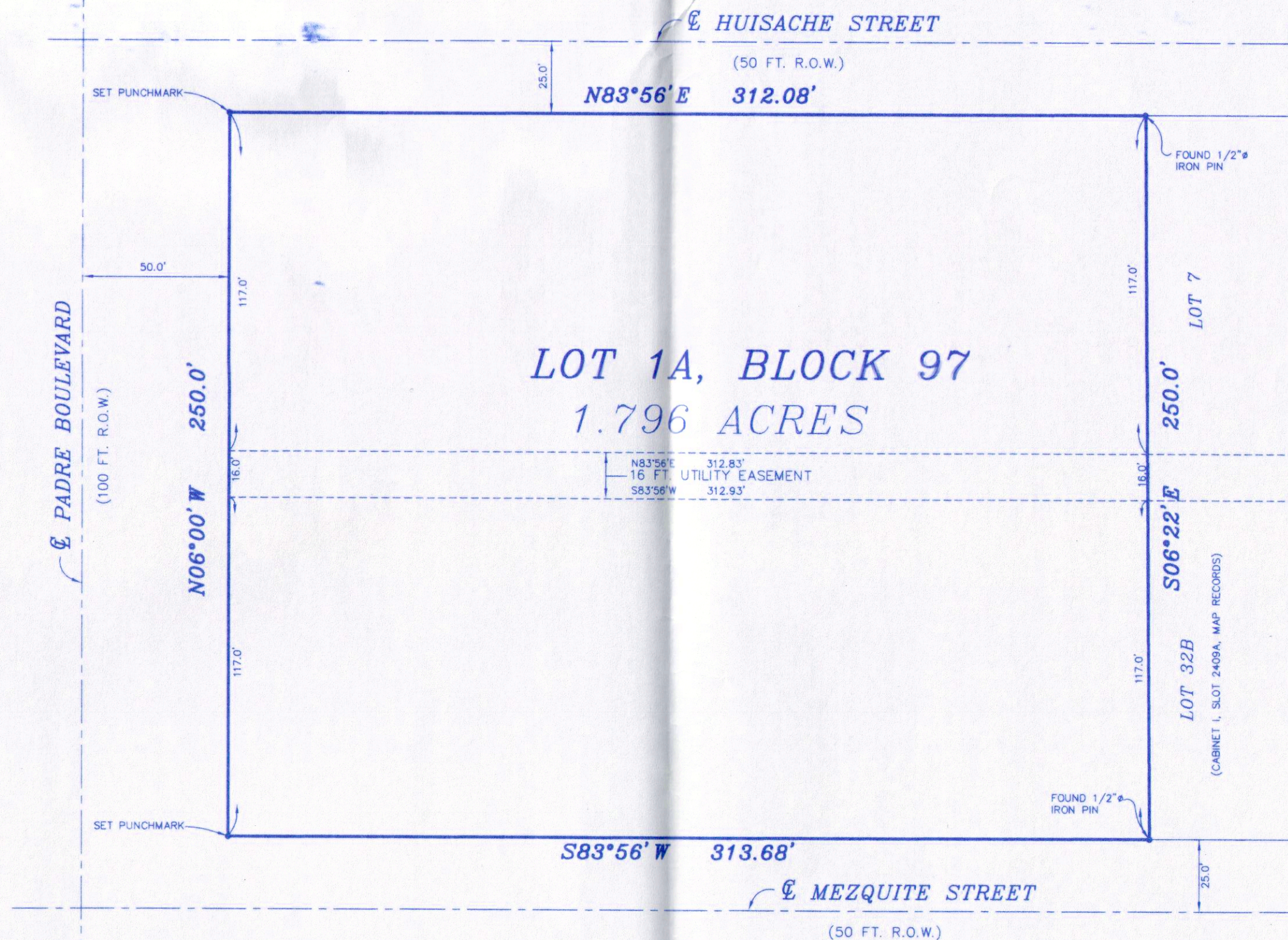
I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED AND DULY RECORDED ON THE ____ DAY OF ____ 2017 AT ____ O'CLOCK ____ M IN THE MAP RECORDS OF CAMERON COUNTY, TEXAS, DOCUMENT NO. _____

BY: _____
DEPUTY



PROPERTY PRIOR TO THIS REPLAT

(SCALE 1" = 40')



REPLAT

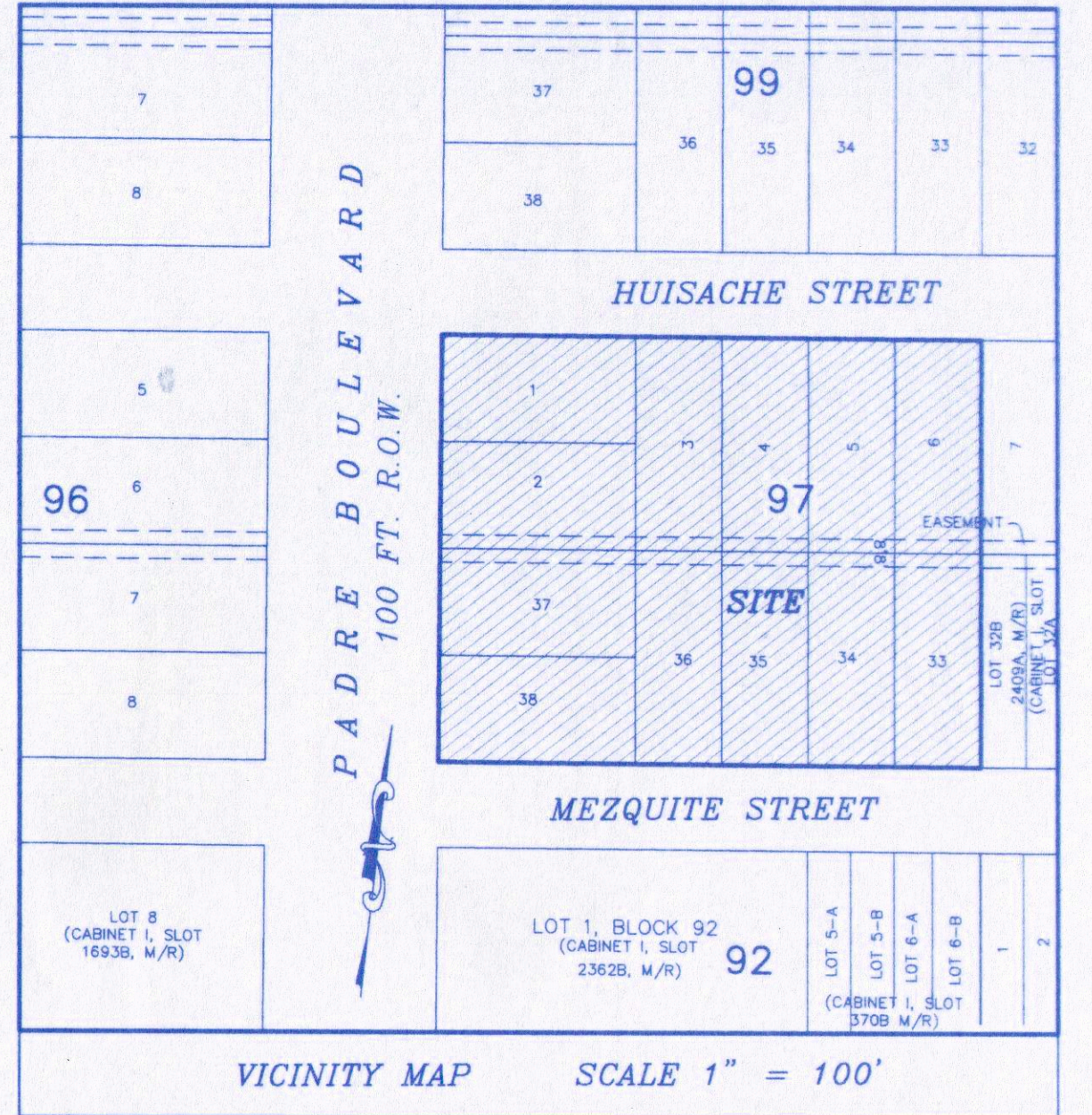
(SCALE 1" = 40')

NOTES:

1. THIS TRACT LIES IN ZONE "AE" (ELEV. 8) PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL 0001 D, REVISED MARCH 9, 1999.
2. MONUMENTATION FOUND ON THE NORTH RIGHT-OF-WAY LINE OF HUISACHE STREET USED AS THE BASIS OF BEARING.
3. THIS TRACT IS ZONED "NC" NEIGHBORHOOD CROSSING WITH A REQUIRED MAIN STREET FRONTAGE ALONG MEZQUITE STREET AS PER THE CITY OF SOUTH PADRE ISLAND'S ZONING CODE.
4. ELEVATION REFERENCED FROM USCGS BENCH MARK "D 1430" WHICH IS LOCATED BETWEEN HUISACHE AND MEZQUITE ON WEST RIGHT OF WAY OF PADRE BOULEVARD - ELEVATION 2.38 (N.G.V.D. 1929)

MERIDIAN OF
PADRE BEACH
SECTION VII

MERIDIAN OF
PADRE BEACH
SECTION VII



STATE OF TEXAS
COUNTY OF CAMERON

I, THE UNDERSIGNED, MIGUEL SANTOS, DIRECTOR OF STRATEGIC PLANNING FOR THE CATHOLIC DIOCESE OF BROWNSVILLE, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED "LOT 1A, BLOCK 97, PADRE BEACH, SECTION VII SUBDIVISION", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETJ, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATED TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

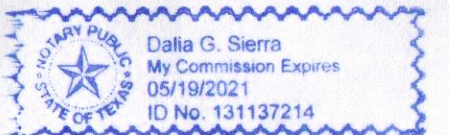
MIGUEL SANTOS, DIRECTOR OF STATEGIC PLANNING
CATHOLIC DIOCESE OF BROWNSVILLE

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MIGUEL SANTOS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 9 DAY OF September 2017.

NOTARY PUBLIC OF THE
STATE OF TEXAS



FINAL PLAT
OF
"LOT 1A, BLOCK 97, PADRE BEACH SECTION VII"
BEING A REPLAT
OF

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), THIRTY-THREE (33), THIRTY-FOUR (34), THIRTY-FIVE (35), THIRTY-SIX (36), THIRTY-SEVEN (37), THIRTY-EIGHT (38), BLOCK NINETY-SEVEN (97), PADRE BEACH SECTION VII, IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SURVEYED FOR:
CATHOLIC DIOCESE OF BROWNSVILLE

AUGUST 15, 2017

Mejia & Rose, Incorporated
Engineering Surveying
T.B.P.E. Reg. No. F-002670
T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3068
email: mandrinc@cngrmail.com

G.F. NO. N/A
20185 PLATOWG

JOB NO. 20185
Gene G. Drive Jr.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: September 21, 2017

ITEM: 9

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

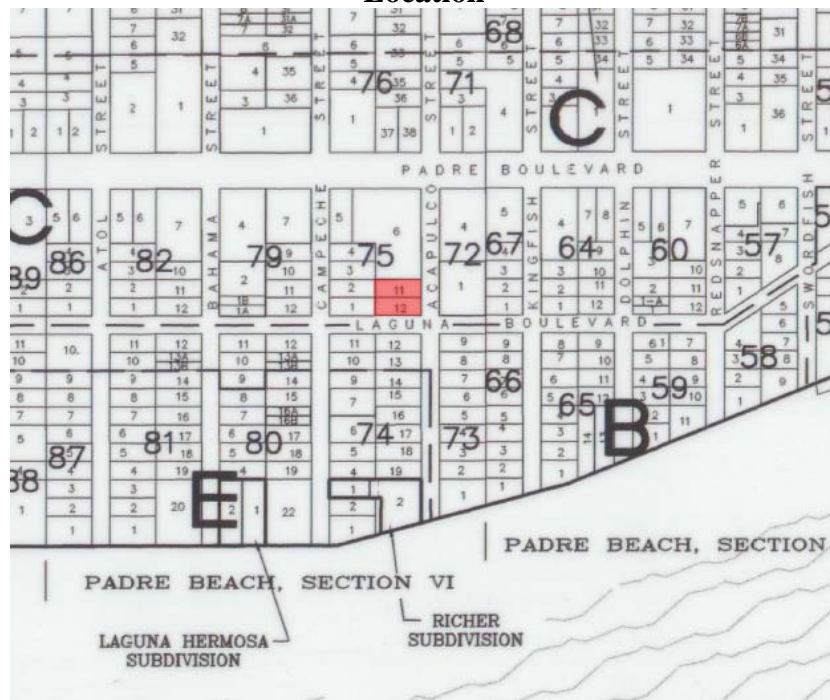
Discussion and action regarding the proposed replat of “Lots 11 and 12, Block 75, Padre Beach, Section VI” to merge them into “Lot 11A”.

DISCUSSION:

The Ownership

1. The lots are belong to Patricia Gold Chapa according to the quit claim deeds executed on February 21, 2017 for Lots 11 and 12.

Location



The Requirements

1. The Lots 11 and 12 have been zoned for “C” District allowing general business activities, which provides basic and necessary goods and services for the community and its visitors.

<p style="text-align: center;">PLANNING & ZONING COMMISSION AGENDA REQUEST FORM</p>

2. Sec. 20-8 (District “C”)

(F) Area Regulation

- (1) Front yard setback – 25’ (minimum front yard shall be increased one foot for each two feet in height if building exceeds six standard stories.)
- (2) Side yard setback – 10’ on street; no setback for internal lot; any building exceeding three standard stories shall have a side yard of four feet for each additional story.
- (3) Rear yard setback – 10’ (minimum rear yard shall be increased one foot for each two feet in height if the building exceeds six standard stories.)



3. Sec.23.15 Sidewalk Guarantee

Sidewalk shall be built on West Acapulco Street. However, the applicant has not submitted the sidewalk guarantee as well as the required sidewalk estimates.

Staff Recommendation

Staff recommends the Commission table this item since the sidewalk guarantee issue has not been resolved yet.

METES AND BOUNDS DESCRIPTION

A 0.286 ACRE TRACT OF LAND (12,500.00 SQ. FT.) BEING ALL OF LOTS ELEVEN (11) AND TWELVE (12), BLOCK SEVENTY-FIVE (75), PADRE BEACH SECTION VI, IN THE TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 15, PAGE 4, MAP RECORDS OF CAMERON COUNTY, TEXAS; SAID 0.286 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A ONE-HALF INCH IRON ROD PIN WITH A YELLOW PLASTIC CAP STAMPED "MOORE 6370" FOUND AT THE SOUTHWEST CORNER OF SAID LOT TWELVE (12), BEING ON THE EAST RIGHT-OF-WAY LINE OF LAGUNA BOULEVARD (50.0 FT. R.O.W.) AND THE NORTH RIGHT-OF-WAY LINE OF ACAPULCO STREET (50.0 FT. R.O.W.) FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 06°00'00" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF LAGUNA BOULEVARD, A DISTANCE OF 125.00 FEET TO A ONE-HALF IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "MOORE 6370" FOUND AT THE NORTHWEST CORNER OF SAID LOT TWELVE (12), FOR THE NORTHWEST CORNER OF THIS TRACT;

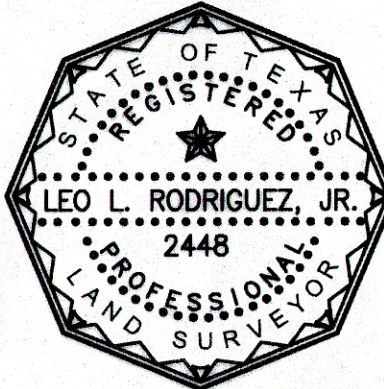
THENCE, NORTH 83°56'00" EAST, ALONG THE NORTH LINE OF SAID LOTS ELEVEN (11) AND TWELVE (12), A DISTANCE OF 100.00 FEET TO A ONE-HALF IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "MOORE 6370" FOUND AT THE NORTHEAST CORNER OF LOT ELEVEN (11), FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 06°00'00" EAST, ALONG THE EAST LINE OF SAID LOT ELEVEN (11), A DISTANCE OF 125.00 FEET TO A ONE-HALF IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "MOORE 6370" FOUND AT THE SOUTHEAST CORNER OF SAID LOT ELEVEN (11), FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 83°56'00" WEST, ALONG THE SOUTH LINE OF SAID LOT ELEVEN (11) AND LOT TWELVE (12), AND THE NORTH RIGHT-OF-WAY LINE OF SAID ACAPULCO STREET, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.286 ACRES GROSS OF LAND (12,500.00 SQ. FT.) MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, LEO L. RODRIGUEZ, JR. A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS MADE PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.



LEO L. RODRIGUEZ, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 2448
DATE: 9-13-2017

STATE OF TEXAS
COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOTS 11 AND 12, BLOCK 75, PADRE BEACH SECTION VI" DEPICTED HEREON.

APPROVED: TONY YZAGUIRRE, JR. DATE
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, PORT ISABEL INDEPENDENT SCHOOL DISTRICT.

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION:

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

CARLOS J. GALVAN, JR. - GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS
COUNTY OF CAMERON

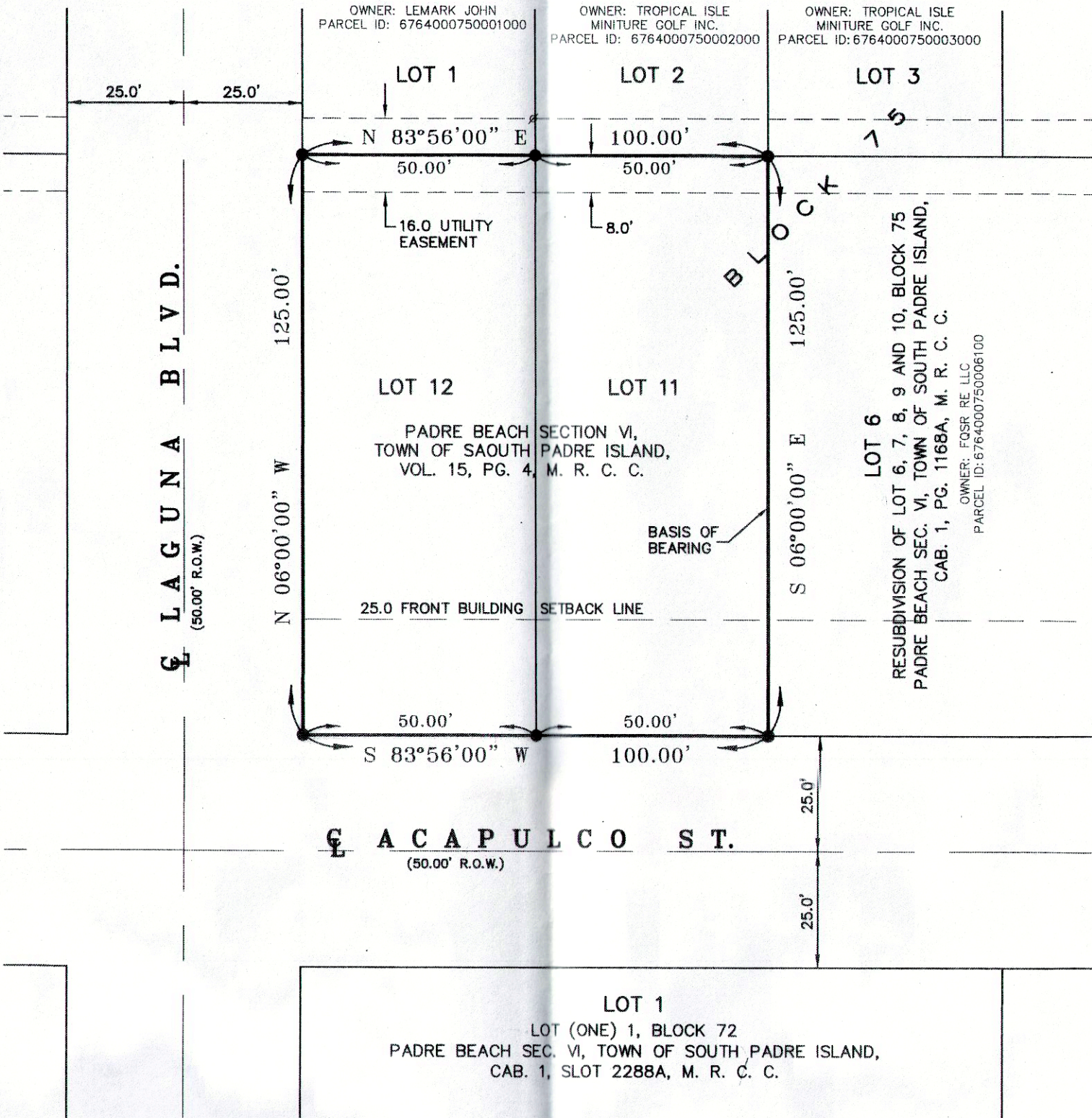
APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND,
THIS ____ DAY OF ____ 20__

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

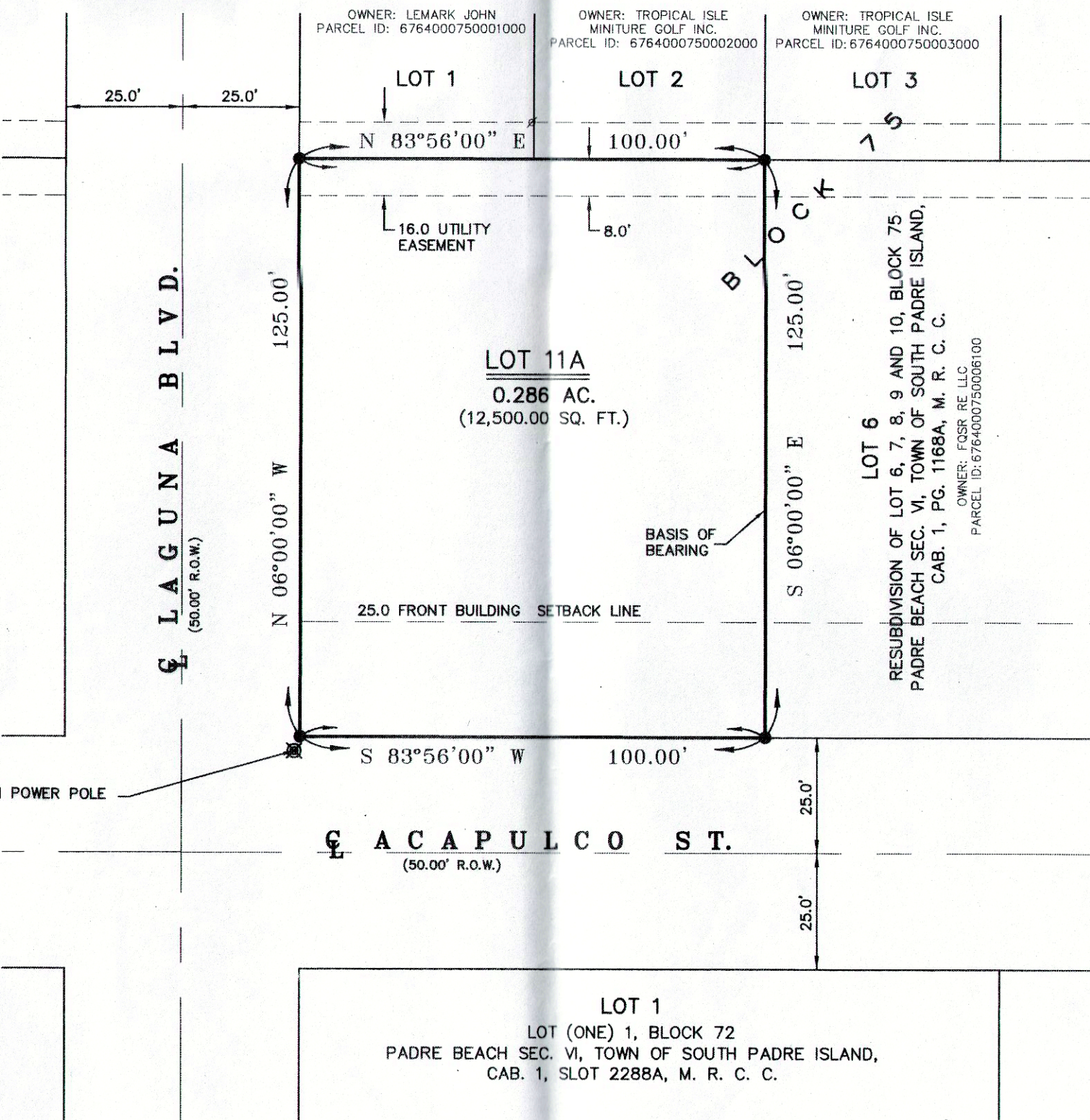
STATE OF TEXAS
COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, CLERK OF THE COUNTY COURT, certify that the plat bearing this certificate was filed and duly recorded on the ____ day of ____ 2017 at ____ O'clock ____ M in the Map Records of Cameron County, Texas, Document No. ____

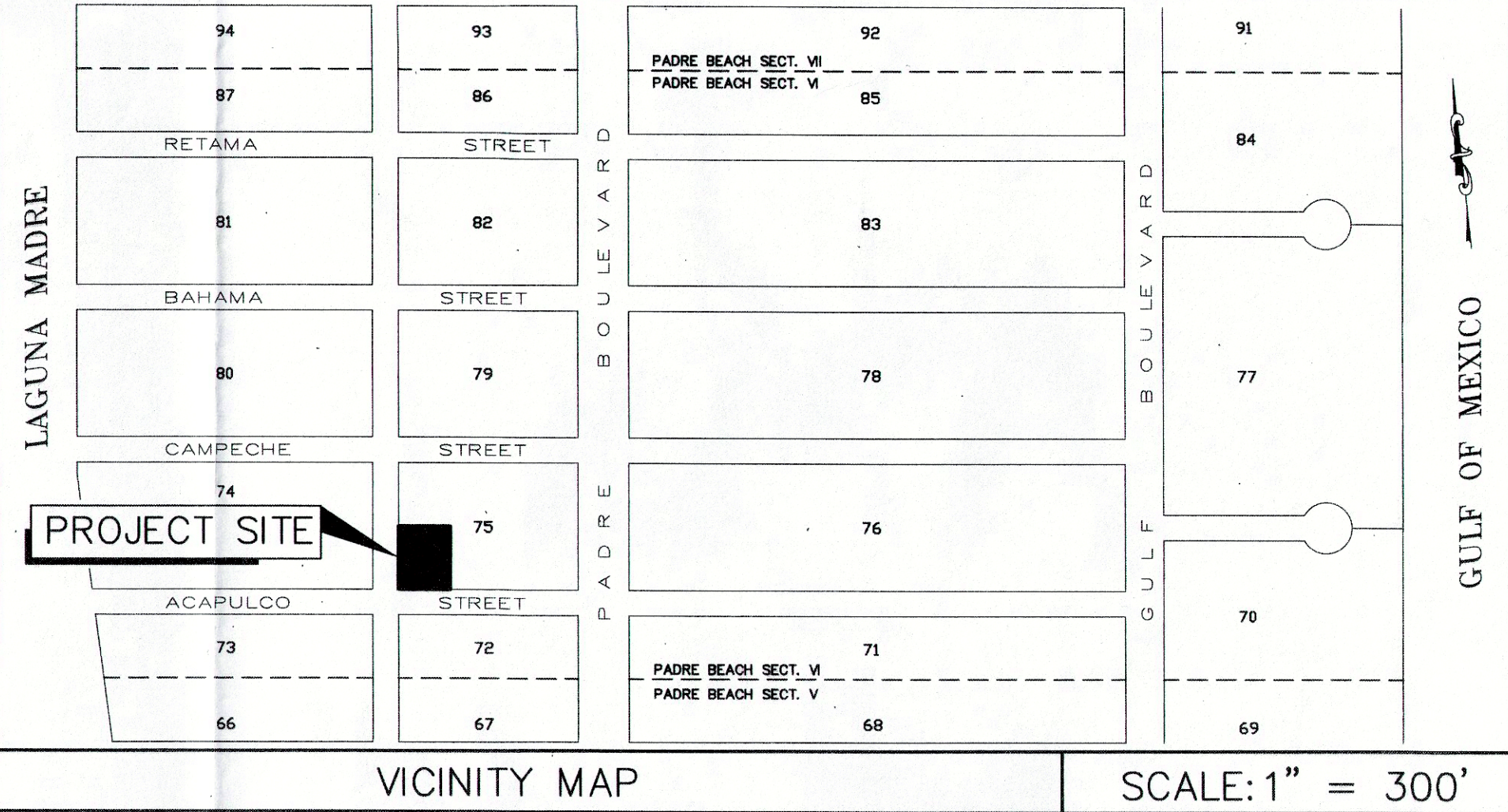
By: Deputy



PROPERTY PRIOR TO REPLAT



REPLAT



STATE OF TEXAS
COUNTY OF CAMERON

I, THE UNDERSIGNED, PATRICIA GOLD CHAPA, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS LOT 11, BLOCK 75, PADRE BEACH, SECTION VI, WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETJ, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

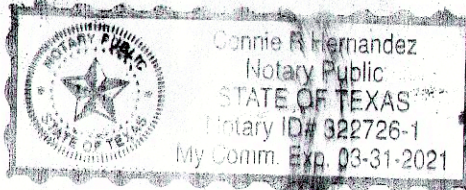
PATRICIA GOLD CHAPA
DATE: 9-13-17

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, PATRICIA GOLD CHAPA, KNOWN TO ME TO THE PERSON WHOSE NAME IS SUBSCRIBED O THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 13 DAY OF SEPTEMBER 2017

NOTARY PUBLIC
HYPOLITO GONZALEZ
COUNTY

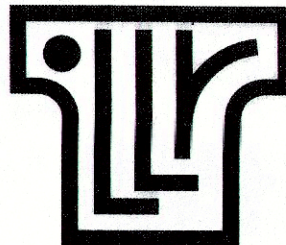


NOTES:

- 1). MONUMENTATION FOUND ALONG THE EAST LINE OF LOT 11, WAS HELD FOR BASI OF BEARING
- 2). THIS TRACT LIES IN ZONE "AE" (ELEV. 8) AS PER THE F.I.S. FLOOD INSURANCE RATE MAP OF COMMUNITY No. 480115, PANEL No. 0001-D, EFFECTIVE MARCH 9, 1999.
- 3). ELEVATION ON TEMPORARY BENCH MARK (TBM) IS REFERENCED FROM BENCH MARK STAMPED "D 1436 1982" AND IS A ROD NEXT TO A REFERENCE MARKER LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN MESQUITE STREET AND HUISACHE STREET NEXT TO A POWER POLE. ELEVATION = 2.15 FEET (N.G.V.D. 1929).
- 4). THIS TRACT LIES IN DISTRICT "C" BUSINESS DISTRICT-FIRE ZONE.

"LOT 11A, BLOCK 75, PADRE BEACH, SECTION VI"

BEING A RE-PLAT OF LOTS ELEVEN (11) AND TWELVE (12), BLOCK SEVENTY-FIVE (75), PADRE BEACH SECTION VI, IN THE TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 15, PAGE 4, MAP RECORDS OF CAMERON COUNTY, TEXAS.



RODRIGUEZ ENGINEERING
CONSULTING ENGINEER • SURVEYOR
P.O. BOX 1830 • EDINBURG, TEXAS • 78540
PHONE (956) 491-1013 • SURVEYOR FIRM No. 101702-00
ENGINEER FIRM No. F-2192