

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

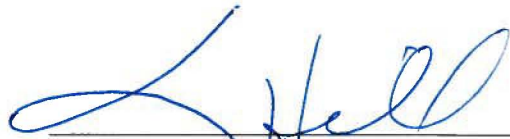
NOTE: *One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.*

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, NOVEMBER 17, 2016
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 October 20, 2016 regular meeting minutes.
5. Discussion and action regarding the proposed plat of "Lot 1A, Block 196, Fiesta Isles Subdivision".
6. Discussion and action regarding the proposed replat of Sandbar Estates, proposing to split it into 16 lots.
7. Public Hearing on rezoning Lots 1, 2, 11 and 12 Block 96, Padre Beach Section VII from Neighborhood Transition Character Zone (NT) to Neighborhood Crossing (NC) or District "C".
8. Discussion and action on rezoning Lots 1, 2, 11 and 12 Block 96, Padre Beach Section VII from Neighborhood Transition Character Zone (NT) to Neighborhood Crossing (NC) or District "C".
9. Discussion and action regarding the proposed replat of "Lots 2 and 3, Block 96, Padre Beach Subdivision, Section VII", proposing to merge them into "Lot 2A".
10. Adjournment.

DATED THIS THE 10TH DAY OF NOVEMBER 2016



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFIED THAT THE ABOVE NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRENT 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 **NOVEMBER 10, 2016** AT/OR BEFORE 5:15 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, JAY MITCHIM; 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, OCTOBER 20, 2016

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Regular Meeting on Thursday, October 20, 2016 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, Art Teniente, and Kimberly Dollar. Members with an excused absence were Robert Bujanos and Beth Vance.

City staff members City Manager Susan Guthrie, Assistant City Manager Darla Jones, Development Director Sungman Kim, and Administrative Assistant Marta Martinez. Also present was Council Member Alita Bagley and Paul Munarriz.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS

None.

IV. APPROVAL OF THE AUGUST 18, 2016 REGULAR MEETING MINUTES.

Mr. McNulty announced the item and asked the Commission members if they had any corrections to the August 18, 2016 regular meeting minutes. Mr. Olle made a motion, seconded by Ms. Dollar to approve as submitted. Motion passed on a 4:01 vote. Mr. McNulty abstained.

V. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF "LOT 1, BLOCK 156, PADRE BEACH SUBDIVISION, SECTION X", PROPOSING TO SPLIT IT INTO "LOTS 1A, 1B, 1C, 1D and 1E".

Mr. McNulty announced the item and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. The Commissioners expressed their comments/concerns regarding this matter. Mr. Huffman made a motion, seconded by Mr. Teniente to approve. Motion carried unanimously.

VI. PUBLIC HEARING REGARDING REVISION OF SECTION 20-7(D) (2) SIDE YARDS.

Mr. McNulty announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. Mr. McNulty then opened the public hearing at 3:08 p.m. and asked if anyone from the public wished to speak in favor of this agenda item. Hearing none, Mr. McNulty then asked if anyone from the public wished to speak in opposition of this agenda item. Hearing none, Mr. McNulty closed the public hearing at 3:09 p.m.

VII. DISCUSSION AND ACTION REGARDING REVISION OF SECTION 20-7(D) (2) SIDE YARDS.

Mr. McNulty announced the item and opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. After much discussion Mr. Olle made a motion, seconded by Mr. Teniente to approve with changes excluding property that adjacent to beach access. Motion passed on a 4:1 vote. Ms. Dollar voted in opposition.

Mr. McNulty recused himself from participating on agenda item 8 & 9.

VIII. PUBLIC HEARING ON AMENDING TABLE 5.1 'SCHEDULE OF USES' IN SUBSECTION V OF THE SECTION 20-8.9 APPENDIX "Z" PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE TO ALLOW RETAIL SALE SERVICES IN "NEIGHBORHOOD TRANSITION CHARACTER ZONE (NT)".

Mr. Huffman announced the item from the agenda and asked for a staff report. Dr. Kim gave a brief summary regarding this agenda item. Mr. Huffman then opened the public hearing at 3:46 p.m. and asked if anyone from the public wished to speak in favor and/or against this agenda item. Alita Bagley spoke against and Patrick McNulty spoke in favor of this agenda item. Mr. Huffman then closed the public hearing at 4:09 p.m.

IX. DISCUSSION AND ACTION ON AMENDING TABLE 5.1 'SCHEDULE OF USES' IN SUBSECTION V OF THE SECTION 20-8.9 APPENDIX "Z" PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE TO ALLOW RETAIL SALE SERVICES IN "NEIGHBORHOOD TRANSITION CHARACTER ZONE (NT)".

Mr. Huffman announced the item and opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. Ms. Dollar made a motion, seconded by Mr. Olle to deny proposed amendment to Table 5.1 'Schedule of Uses'. Motion passed on a 4:1 vote. Mr. Teniente voted against.

X. ADJOURNMENT

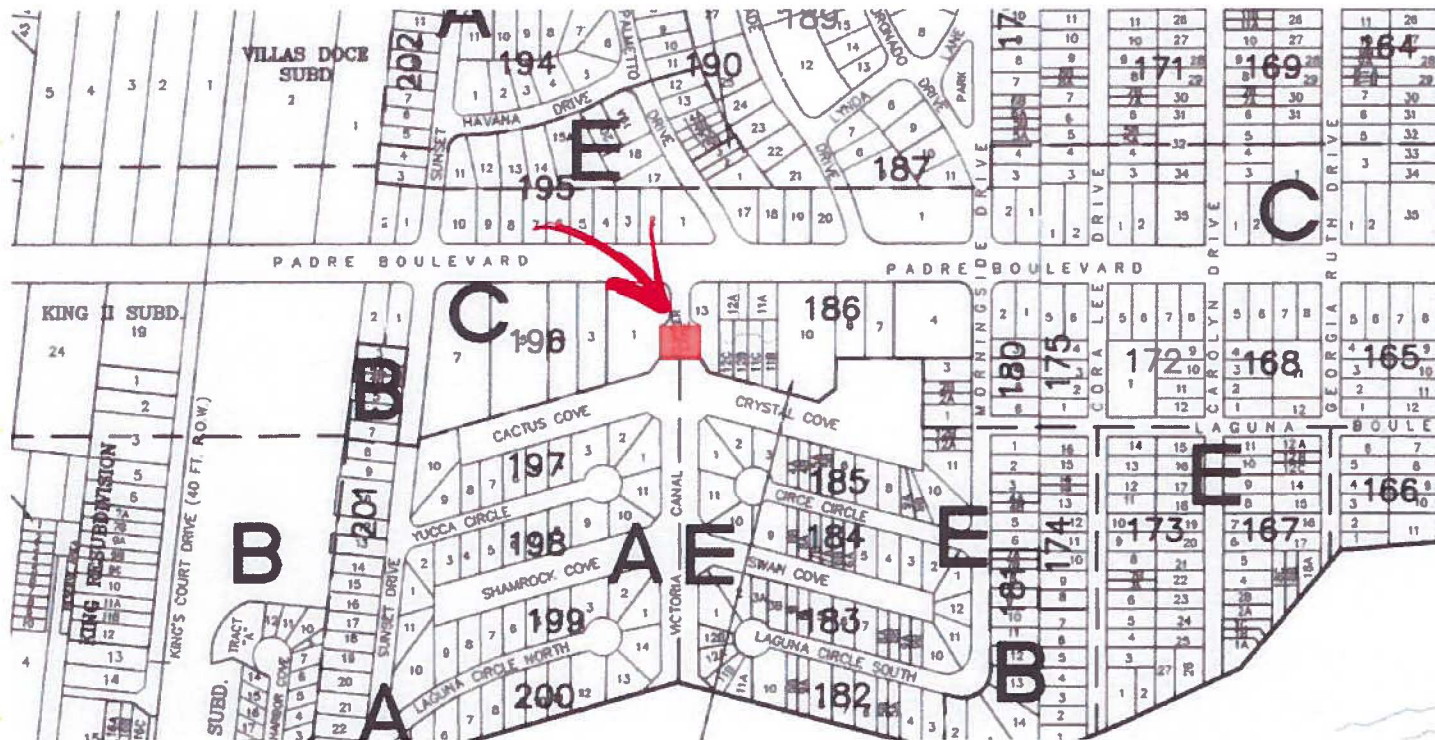
There being no further business, Mr. Huffman adjourned the meeting at 3:22 p.m.



Private Boat Launching Ramp & Area

The proposed plat of "Lot 1A, Block 196, Fiesta Isles Subdivision".

Location



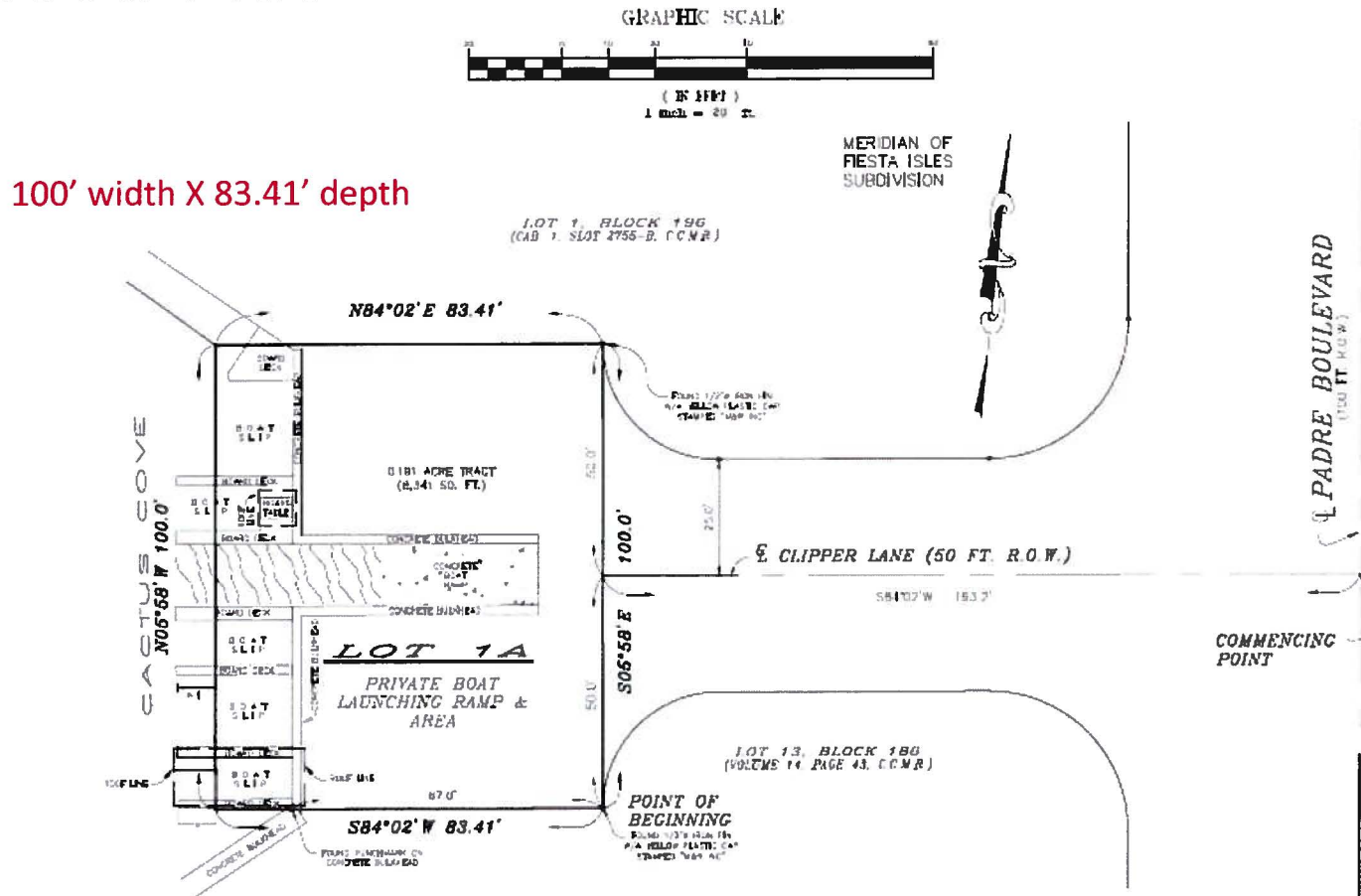
Aerial Photo



Zoning

- The lot has been zoned for “PBN” District of Padre Boulevard and Entertainment District Code.
- Sec. 6.1.1 Minimum Lot Size (Padre Boulevard and Entertainment District Code)
 - (i) Area of Lot: 2,500 square feet
 - (ii) Width of Lot: 25 feet
 - (iii) Depth of Lot: 100 feet

Proposed Plat



Discussion

- Ownership: The entire property belong to VCRC MANAGEMENT SYSTEMS, INC, according to the attorney's Opinion Letter dated October 27, 2016 prepared by McCullough & McCullough.
- Variance: The applicant applied for a variance for a lot-depth and it will be reviewed by the City Council on November 16, 2016.
- Sidewalk Guarantee: This is a "Private Boat Launching Ramp & Area" and does not require a sidewalk construction.

Staff Recommendation

Only if the variance is approved by the City Council:

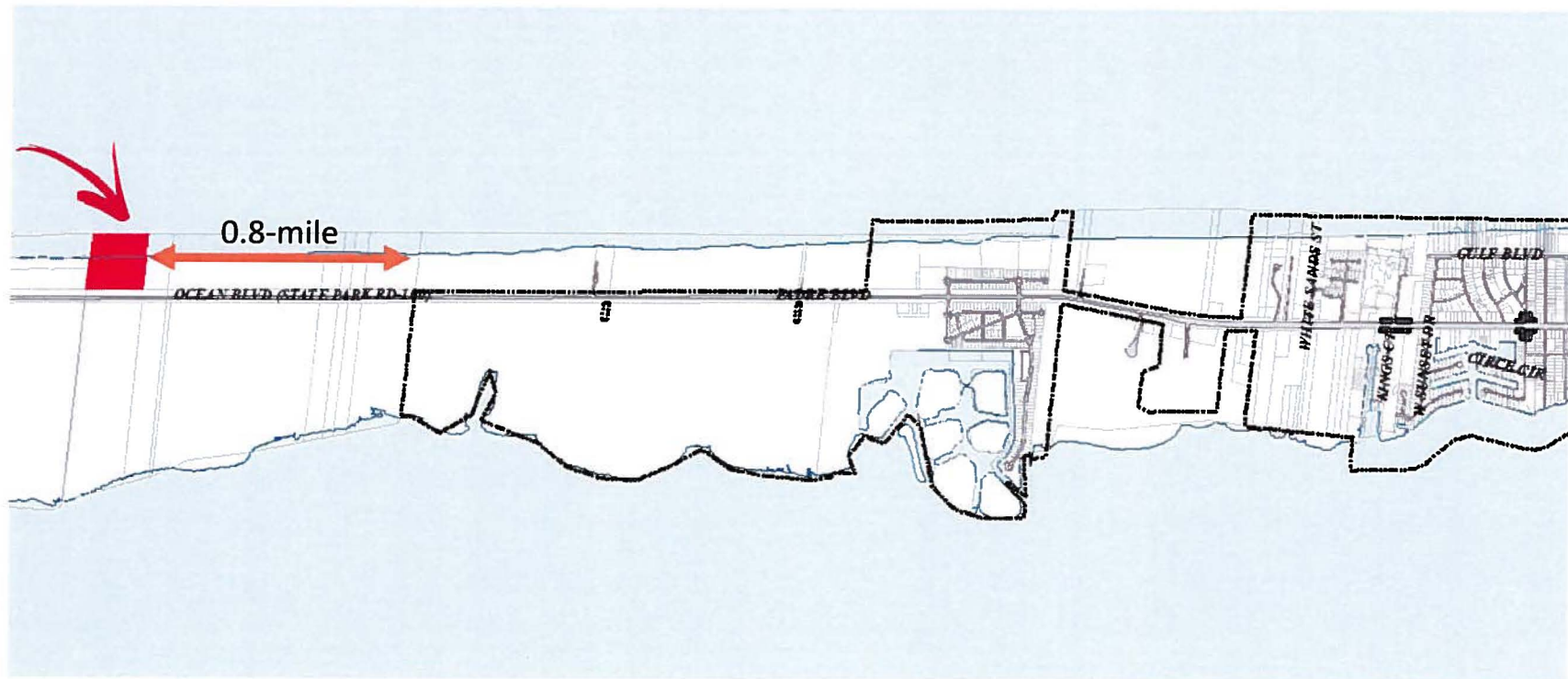
The replat is not requiring street, access drive, and/or utility installation; staff does not require any changes in the preliminary plat as submitted; and, per Section 23.10, staff recommends approving this item through a fast track process.



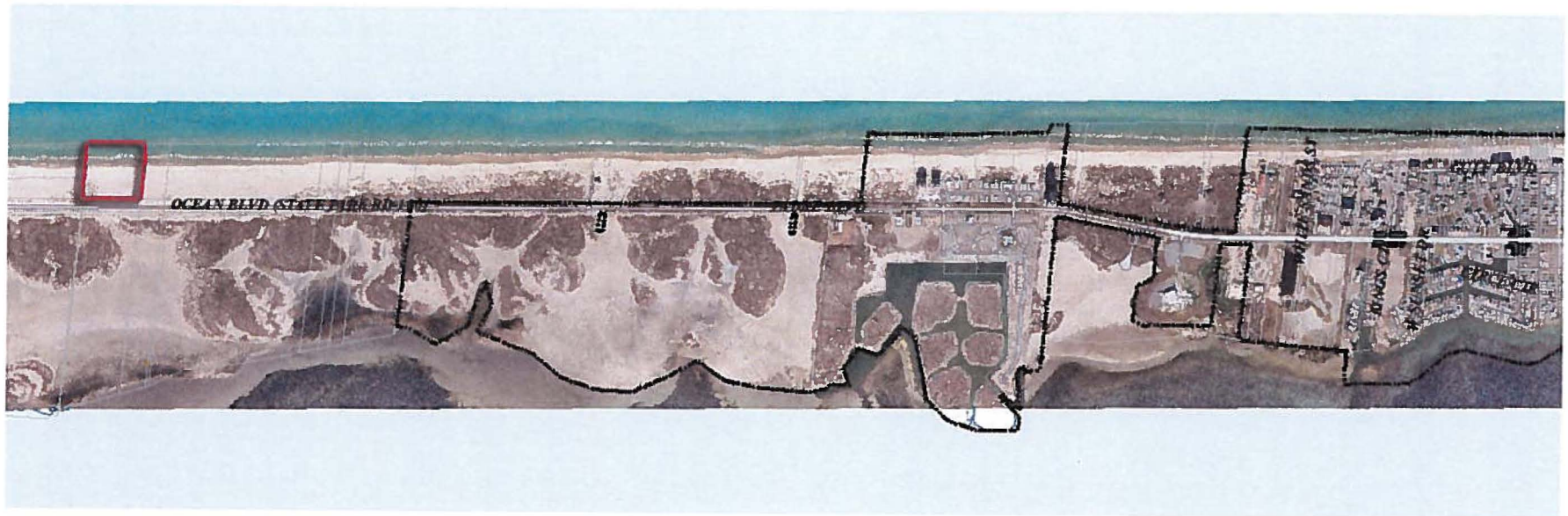
Sandbar Estate

The proposed replat of Sandbar Estates, proposing to split it into 16 lots

Location



Aerial Photo



Zoning

- It is located within the City's ETJ, and falls into County's residential zone (G District).
- The City requires lot dimension to be minimum 25' (width) X 100' (depth), and the subdivided lots meet the requirements:
 - The smallest lot dimension: 50.30' (width) X 543.02' (depth).
 - The Texas General Land Office provided comments on 'Dune Protection Permit and Beachfront Construction Certificate (GLO ID No. BDCAM-16-0012b)' on June 30, 2016, and Cameron County Commissioners issue the permit on July 26, 2016.
- Cameron County approved the preliminary plat on October 4, 2016.

Infrastructure

- Electricity and water lines already exist on the subject property. Also, State Park Road 100 serves the property.
- Padre Boulevard (State Park Road-100) provides an access to the site.
- According to Sec.23-14(F), a developer shall install a sidewalk on a public street right-of-way. In this case, the public right-of-way would be Padre Boulevard (State Park Road 100), which belongs to TxDOT, and the City currently has no sidewalk plan, which is supposed to be mutually agreed with TxDOT, for the area. Therefore, performance guarantee is not required.

Coordination of the Schedule

- The City's Subdivision Ordinance Sec.23.12(D)(5) states: "Approval of the record plat shall be effective for a period of sixty (60) calendar days following the date of Commission approval, at the end of which time, recording of the record plat with the County Clerk's Office must have been completed. If any record plat is not filed within this time period, the record plat shall be null and void and the applicant shall be required to resubmit a new plat for approval subject to all zoning and subdivision regulations in effect at the time of resubmission. At the request of the applicant, and upon cause shown, the Planning and Zoning Commission may extend the approval of the record plat not to exceed one (1) year beyond this expiration date."
- The applicant requests the one year extension due to difficulties in coordinating the schedule between the City and the County.

Staff Recommendation

- The proposed subdivision meets all minimum requirements of Section 20 Zoning and Section 23 Subdivision Regulations.
- Per Section 23.10, staff recommends approving this item through a fast track process, **with the extension of the approval not to exceed one (1) year beyond the sixty (60) calendar-day expiration date.**



Rezoning

The Issue

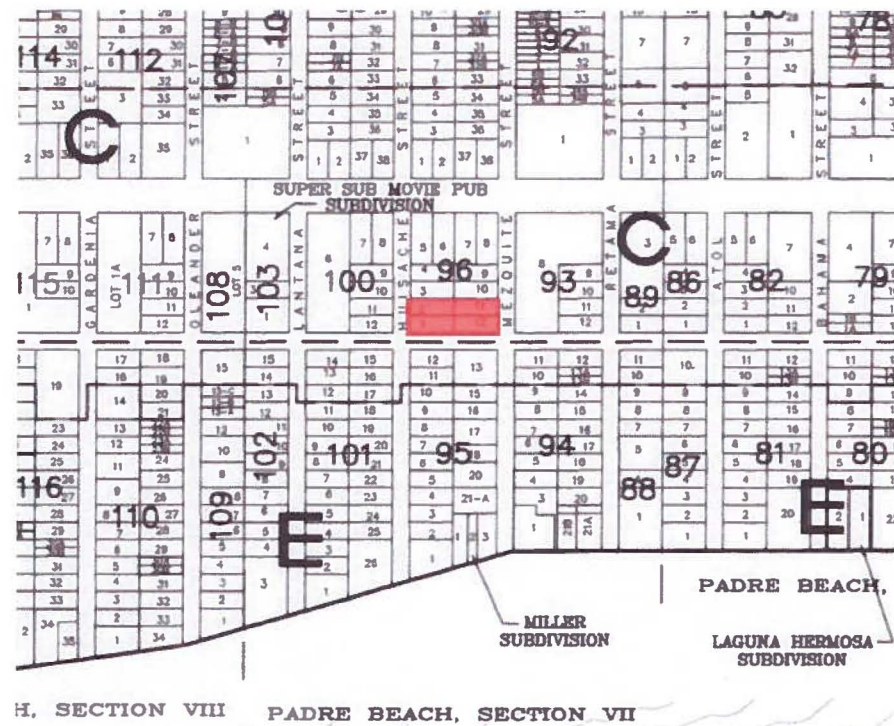
- Currently, retail sale services are not allowed in Neighborhood Transition Character Zone (NT);
- Ace Hardware (a retail service) intends to move from the current location at **LOT 9 BLK 28 PADRE BEACH SUBDIVISION SECTION III** to **LOTS 1, 2, & 3 BLOCK 96, PADRE BEACH SECTION VII**, where Lots 1 & 2 are within NT zone; and
- The owner (Columbia Padre Boulevard LLC) also wants to request **LOTS 11 & 12 BLOCK 96, PADRE BEACH SECTION VII** (where Lots 11 & 12 are within NT zone) be rezoned to accommodate retail services.

What Are We Facing?

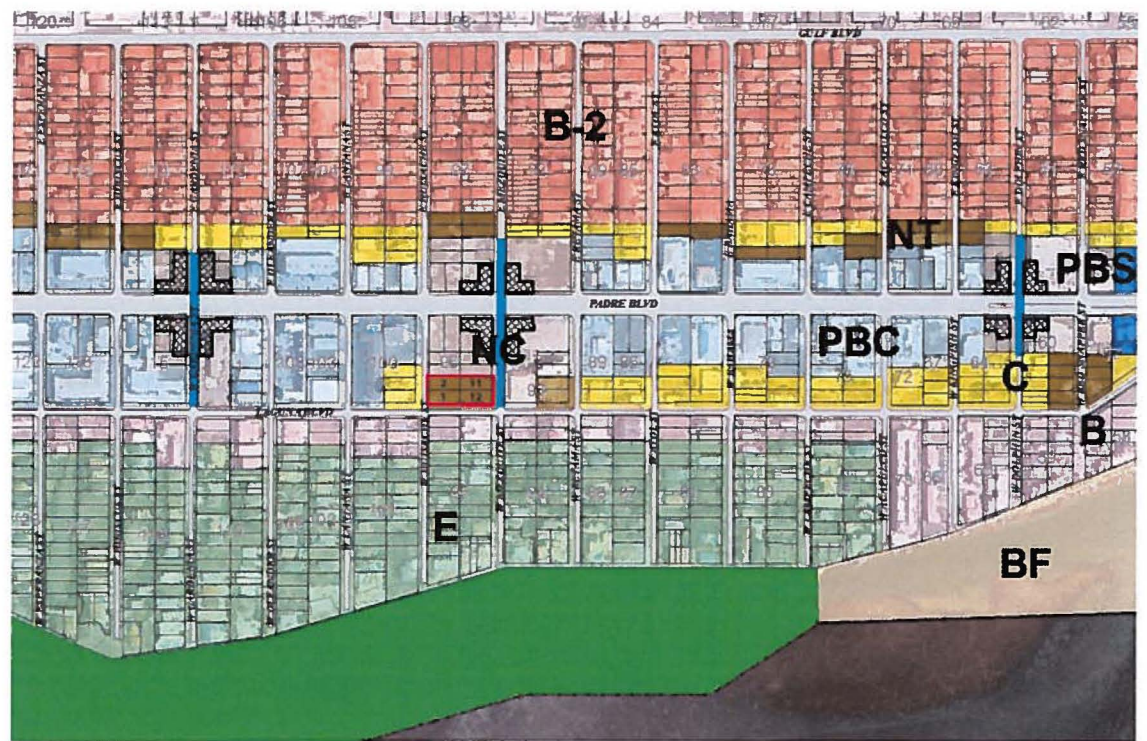
Non-conformity

- According to Padre Blvd Entertainment District Code 4.2.8, “the Neighborhood Transition Zone is intended to provide for *a range of smaller scale commercial (retail, office, and live-work) and residential transitions* between Padre Boulevard and the neighborhoods to the east and west of the boulevard.”
- However, according to Table 5.1 ‘Schedule of Uses’, *offices, condominiums, townhomes and surface parking* can only be accommodated in NT (not retail).

The Location

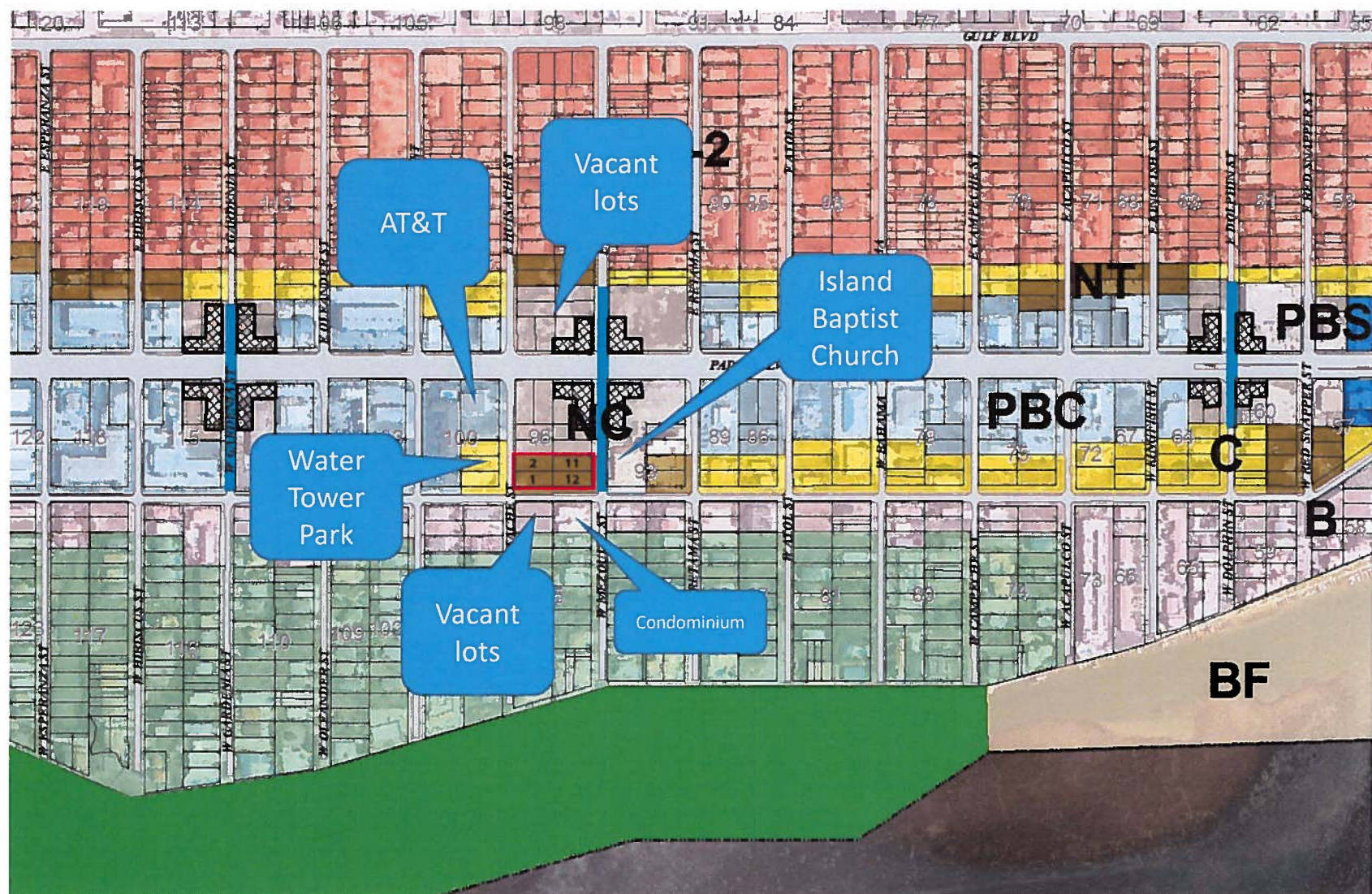


Zoning & Compatibility



	Zoning	Current Uses
East	Neighborhood Crossing	Vacant
West	District "B"	Oasis Condo / Vacant
South	Neighborhood Crossing	Island Baptist Church
North	District "C"	Water Tower Park / AT&T

- There is no compatibility issue existing toward the north, east and south.
- District "B", in the west, allows single family, multi-family dwelling, apartment, motel, hotel, condominium and townhouses. Condominiums, hotels and motels with more than twelve (12) units may have included within the premises such as businesses as bars, food establishments, barber shops, beauty parlors and other similar businesses if such business is for the convenience of the occupants of the building and is definitely an integral part of the services of such hotel, condominiums or motel. (Sec.20-7(B)(1))
- Conservatively, there could be a concern on having a commercial enterprise, although the lots are separated by Laguna Boulevard next to a vacant lot where a single family home can be built.



DSRTF Recommendation

Staff Recommendation

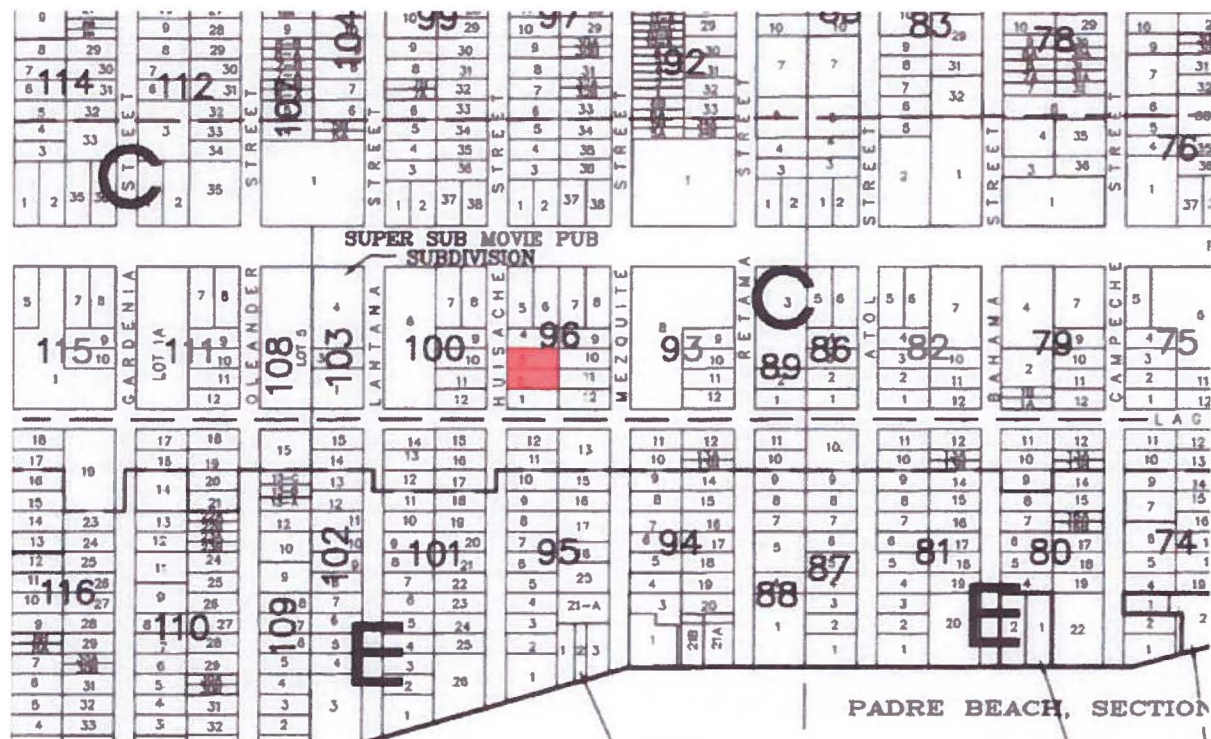
- Staff recommends the DSRTF approve the proposed rezoning of Lots 2, 11 and 12 Block 96, Padre Beach Section VII from **Neighborhood Transition Character Zone (NT)** to **Neighborhood Crossing (NC)**.
 - For the properties, Neighborhood Crossing (NC) is more appropriate than District “C” because the NC designation provides unity to Block 96 with flexibility in developments.
- Lot 1 can remain under Neighborhood Transition Character Zone, which will continue to provide a buffer toward the vacant lot in the west.



Ace Hardware

Replat of "Lots 2 and 3, Block 96, Padre Beach Subdivision, Section VII",
proposing to merge them into "Lot 2A"

Location

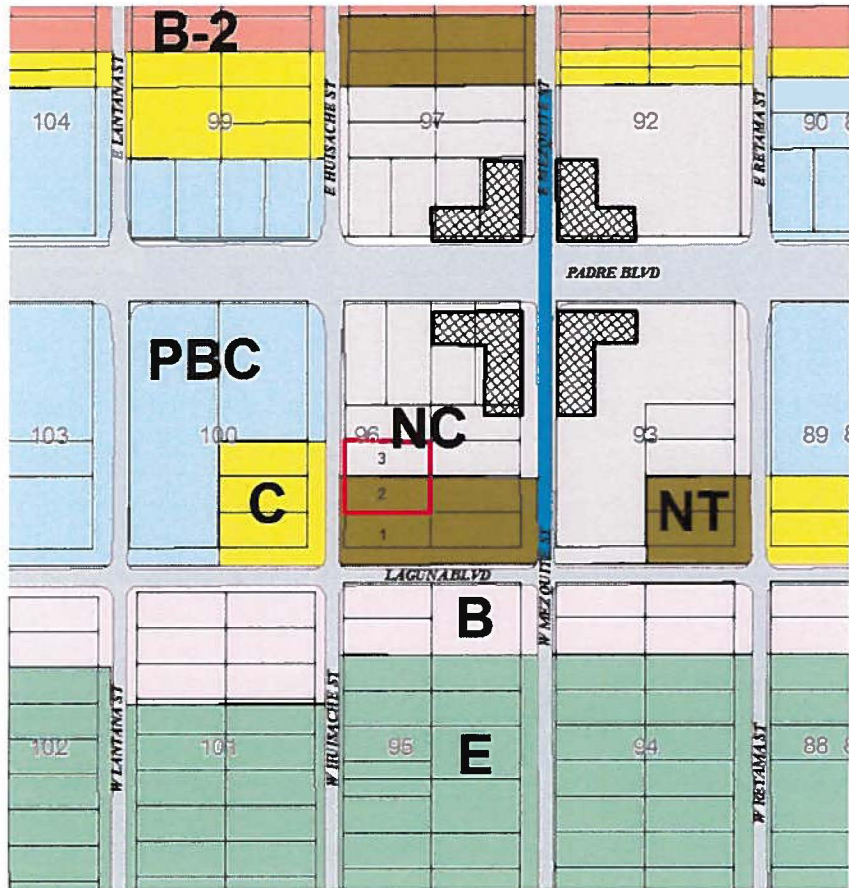


Aerial Photo



Zoning

- 6.1.1 of Padre Boulevard & Entertainment District Code regulates the minimum lot size:
 - (i) Area of Lot: 2,500 square feet
 - (ii) Width of Lot: 25 feet
 - (iii) Depth of Lot: 100 feet



Sidewalk Guarantee

- 100' sidewalk along Huisache Street should be provided, and the applicant submitted a check (\$4,000).

Staff Recommendation

- The proposed subdivision meets all minimum requirements of Section 20 Zoning and Section 23 Subdivision Regulations.
- The replat is not requiring street, access drive, and/or utility installation; staff does not require any changes in the preliminary plat as submitted; and, per Section 23.10, staff recommends approving this item through a fast track process.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: November 17, 2016

ITEM: 5

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

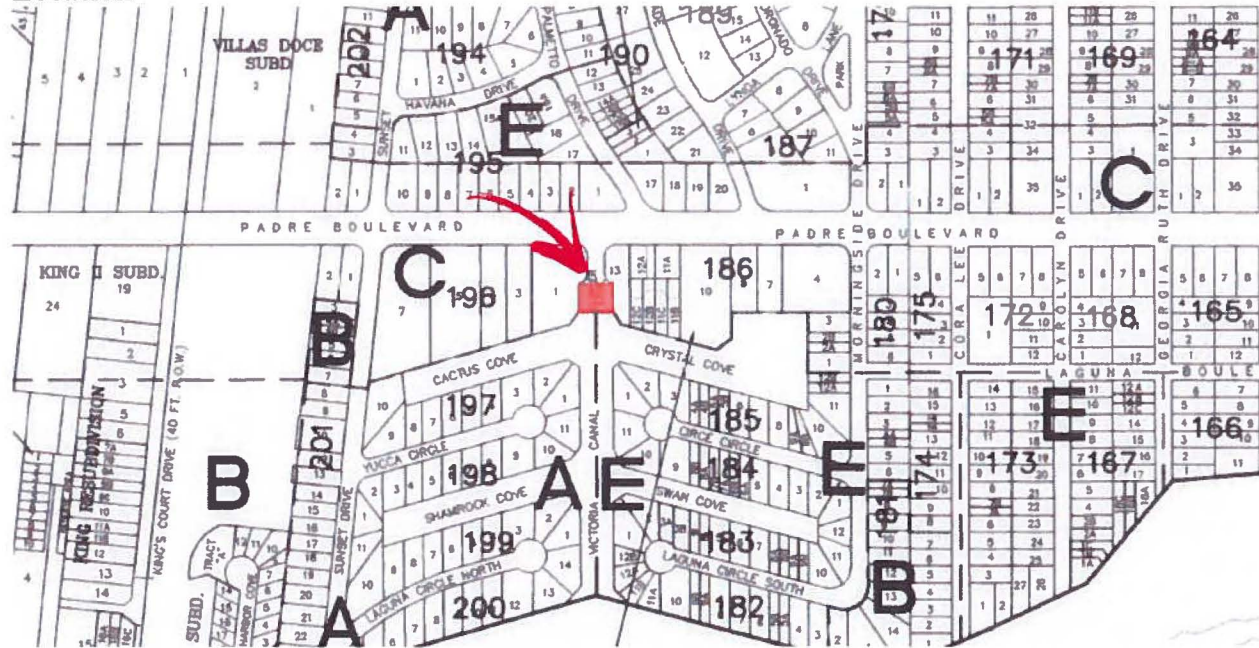
Discussion and action regarding the proposed plat of "Lot 1A, Block 196, Fiesta Isles Subdivision".

DISCUSSION:

The Ownership

1. The entire property belong to VCRC MANAGEMENT SYSTEMS, INC, according to the attorney's Opinion Letter dated October 27, 2016 prepared by McCullough & McCullough.

Location



The Requirements

1. The lot has been zoned for "PBN" District of Padre Boulevard and Entertainment District Code.

Aerial Photo

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**



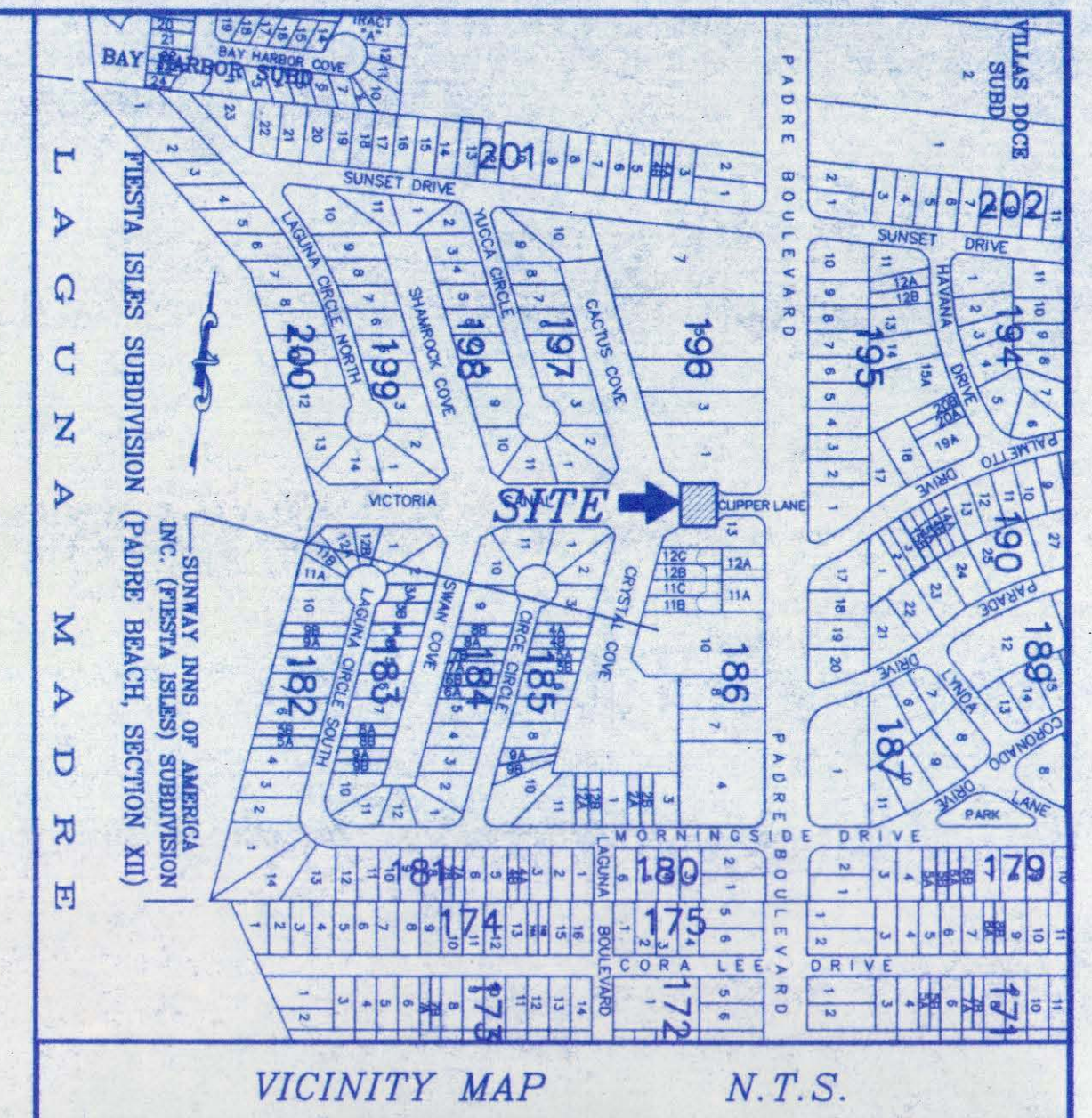
2. Sec. 6.1.1 Minimum Lot Size (Padre Boulevard and Entertainment District Code)
 - (i) Area of Lot: 2,500 square feet
 - (ii) Width of Lot: 25 feet
 - (iii) Depth of Lot: 100 feet
3. Variance: The applicant applied for a variance for a lot-depth and it will be reviewed by the City Council on November 16, 2016. The result will be updated at the Planning and Zoning Commission meeting on November 17, 2016.
4. Sidewalk Guarantee
This is a "Private Boat Launching Ramp & Area" and does not require a sidewalk construction.

0.191 ACRE TRACT (8,341 SQ. FT.) BEING ALL OF THE PRIVATE BOAT LAUNCHING RAMP & AREA AT CLIPPER LANE IN FIESTA ISLES SUBDIVISION, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AS DESCRIBED IN THE MAP RECORDED IN VOLUME 17, PAGE 43, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 0.191 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

THENCE, SOUTH 84 DEGREES 02 MINUTES WEST, AT A DISTANCE OF 67.0 FEET A PUNCHMARK FOUND, A TOTAL DISTANCE OF 83.41 FEET TO A CORNER OF LOT 13, BLOCK 186, FIESTA ISLES SUBDIVISION THAT FALLS IN CACTUS COVE, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 84 DEGREES 02 MINUTES EAST, A DISTANCE OF 83.41 FEET TO A 1/2" IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND, AT A CORNER OF LOT 1, BLOCK 196, FOR THE NORTHEAST CORNER OF THIS TRACT;

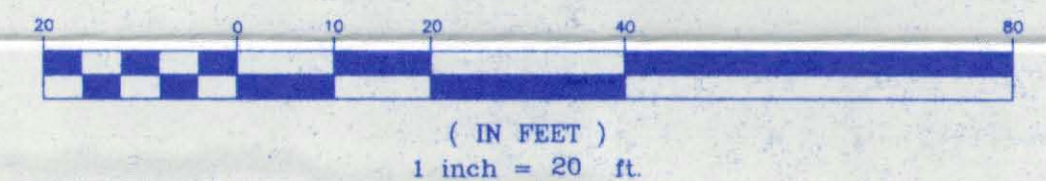
CONTAINING, 0.191 ACRES, MORE OR LESS.



VICINITY MAP

N.T.S.

GRAPHIC SCALE



PRELIMINARY PLAT
OF
"LOT 1A, BLOCK 196,
FIESTA ISLES SUBDIVISION"

BEING A RE-PLAT OF

ALL OF THE PRIVATE BOAT LAUNCHING RAMP & AREA AT CLIPPER LANE IN FIESTA ISLES SUBDIVISION, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AS DESCRIBED IN THE MAP RECORDED IN VOLUME 17, PAGE 43, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 20'
PREPARED FOR:

VCRC MANAGEMENT SYSTEMS, INC.

OCTOBER 19, 2016

- 1). MONUMENTATION FOUND ALONG THE NORTH RIGHT-OF-WAY LINE OF CLIPPER LANE 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. 0001D, REVISED MARCH 9, 1999.
- 3). REFERENCE NGS BENCH MARK "E 1436" (ELEV. 2.66) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGIA RUTH DRIVE AND CAROLYN DRIVE.
- 4). THIS LOT IS ZONED "PBN" PADRE BOULEVARD NORTH CHARACTER ZONE, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 5). ZONE "PBN" SETBACKS PER SECTION 6.5.2 OF THE CITY OF SOUTH PADRE ISLAND PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE.

The undersigned hereby certifies that the survey described hereon was made on the ground on 01-21-16; 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



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

OWNER:

VCRC MANAGEMENT SYSTEMS INC.
3525 RANCH VIEW TERRACE
FORT WORTH, TEXAS 76109
(956) 459-4808 OFFICE
(956) 544-3068 FAX

G.F. NO. N/A

JOB NO. 19961
S.TROWBRIDGE

METES & BOUNDS DESCRIPTION

0.191 ACRE TRACT (8,341 SQ. FT.) BEING ALL OF THE PRIVATE BOAT LAUNCHING RAMP & AREA AT CLIPPER LANE IN FIESTA ISLES SUBDIVISION, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AS DESCRIBED IN THE MAP RECORDED IN VOLUME 17, PAGE 43, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 0.191 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

COMMENCING, AT THE INTERSECTION OF THE CENTERLINE OF PADRE BOULEVARD (100 FT. R.O.W.) AND THE CENTERLINE OF CLIPPER LANE (50 FT. R.O.W.), THENCE, ALONG SAID CENTERLINE OF CLIPPER LANE, SOUTH 84 DEGREES 02 MINUTES WEST, A DISTANCE OF 163.2 FEET TO THE CENTER OF THE EAST LINE OF THIS TRACT, THENCE, ALONG SAID EAST LINE SOUTH 05 DEGREES 58 MINUTES EAST, A DISTANCE OF 50.0 FEET TO A 1/2" IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND FOR THE POINT OF BEGINNING AND THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 84 DEGREES 02 MINUTES WEST, AT A DISTANCE OF 67.0 FEET A PUNCHMARK FOUND, A TOTAL DISTANCE OF 83.41 FEET TO A CORNER OF LOT 13, BLOCK 186, FIESTA ISLES SUBDIVISION THAT FALLS IN CACTUS COVE, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 05 DEGREES 58 MINUTES WEST, A DISTANCE OF 100.0 FEET TO A CORNER OF LOT 1, BLOCK 196, (CAB. 1, SLOT 2755-B, C.C.M.R.) THAT FALLS IN CACTUS COVE, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 84 DEGREES 02 MINUTES EAST, A DISTANCE OF 83.41 FEET TO A 1/2" IRON PIN WITH A YELLOW PLASTIC CAP STAMPED "M&R INC" FOUND, AT A CORNER OF LOT 1, BLOCK 196, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, SOUTH 05 DEGREES 58 MINUTES EAST, A DISTANCE OF 100.0 FEET TO THE POINT OF BEGINNING;

CONTAINING, 0.191 ACRES, MORE OR LESS.

NOTES:

- 1). MONUMENTATION FOUND ALONG THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD 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. 00010, REVISED MARCH 9, 1999.
- 3). REFERENCE NGS BENCH MARK "E 1436" (ELEV. 2.66) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGIA RUTH DRIVE AND CAROLYN DRIVE.
- 4). THIS LOT IS ZONED "PBN" PADRE BOULEVARD NORTH CHARACTER ZONE, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 5). ZONE "PBN" SETBACKS PER SECTION 6.5.2 OF THE CITY OF SOUTH PADRE ISLAND PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE.

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.



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

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 "ALL OF THE PRIVATE BOAT LAUNCHING RAMP & AREA AT CLIPPER LANE IN FIESTA ISLES SUBDIVISION, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 17, PAGE 43, MAP RECORDS OF CAMERON COUNTY, TEXAS, DEPICTED HEREON.

APPROVED: *Tony Yzaguirre, Jr.* DATE 10/29/2016
TONY YZAGUIRRE, JR.
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, POINT 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. Calmon, Jr. DATE 11/7/16
CARLOS J. CALMON, JR., GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS COUNTY OF CAMERON

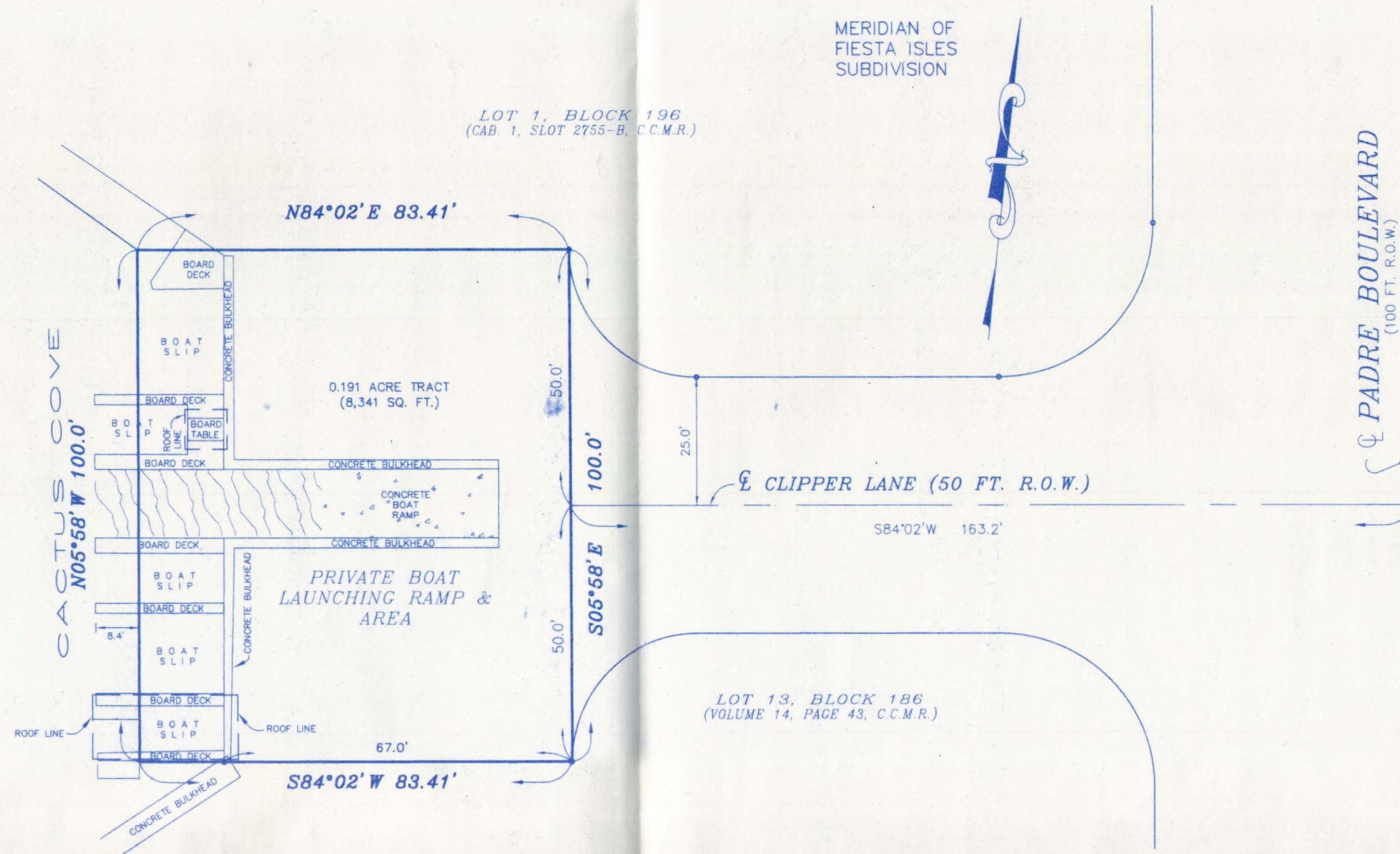
APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE _____ DAY OF _____ 2016.

PLANNING AND ZONING COMMISSION PUBLIC WORKS DIRECTOR
CHAIR

STATE OF TEXAS COUNTY OF CAMERON

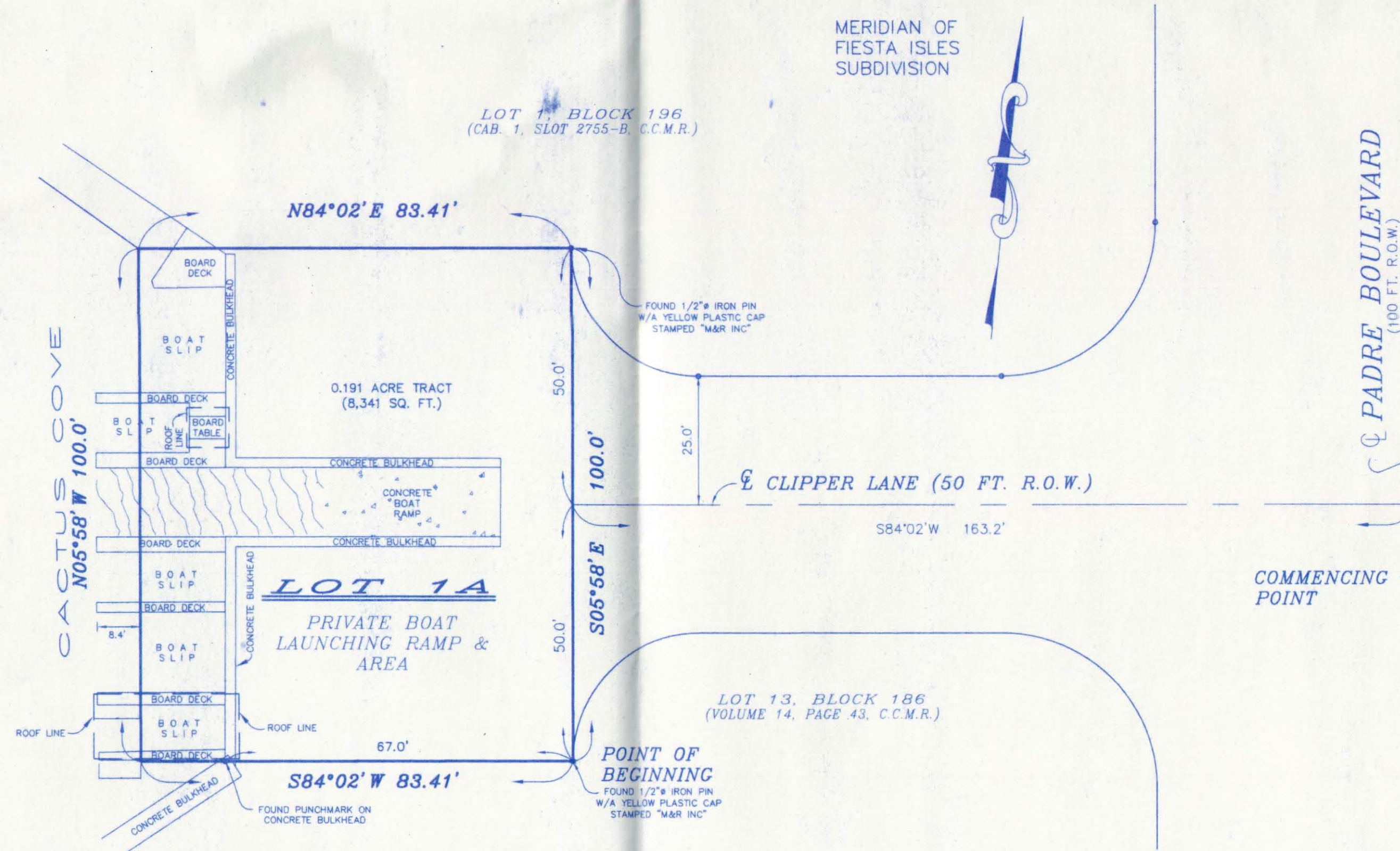
I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE WAS FILED AND DULY RECORDED ON THE _____ DAY OF _____, 2016 AT _____ O'CLOCK _____ M IN THE MAP RECORDS OF CAMERON COUNTY, TEXAS, DOCUMENT NO. _____.

BY: _____ DEPUTY



PROPERTY PRIOR TO REPLAT

(SCALE: 1" = 20')



REPLAT

(SCALE: 1" = 20')

STATE OF TEXAS COUNTY OF CAMERON

I, THE UNDERSIGNED, LEO TRAVIS SANDERS, A MANAGING MEMBER OF VCRC MANAGEMENT SYSTEMS, INC., OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LOT 1A, BLOCK 196, FIESTA ISLES SUBDIVISION", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS E.T.D. 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.

Leo Travis Sanders DATE 11/3/16
LEO TRAVIS SANDERS - MANAGING MEMBER OF VCRC MANAGEMENT SYSTEMS, INC.

STATE OF TEXAS COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, LEO TRAVIS SANDERS, A MANAGING MEMBER OF VCRC MANAGEMENT SYSTEMS, INC., 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 CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 3 DAY OF NOVEMBER, 2016.

Brian Carter
NOTARY PUBLIC
TARRANT
COUNTY



FINAL PLAT OF "LOT 1A, BLOCK 196, FIESTA ISLES SUBDIVISION"

BEING A RE-PLAT OF
ALL OF THE PRIVATE BOAT LAUNCHING RAMP & AREA AT CLIPPER LANE IN FIESTA ISLES SUBDIVISION, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AS DESCRIBED IN THE MAP RECORDED IN VOLUME 17, PAGE 43, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 20'
PREPARED FOR:

VCRC MANAGEMENT SYSTEMS, INC.
OCTOBER 19, 2016

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@engmail.com

OWNER:
VCRC MANAGEMENT SYSTEMS INC.
3525 RANCH VIEW TERRACE
FORT WORTH, TEXAS 76109
(956) 459-4808 OFFICE
(956) 544-3068 FAX

G.F. NO. N/A JOB NO. 19961
S.TROWBRIDGE

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: November 17, 2016

ITEM: 6

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

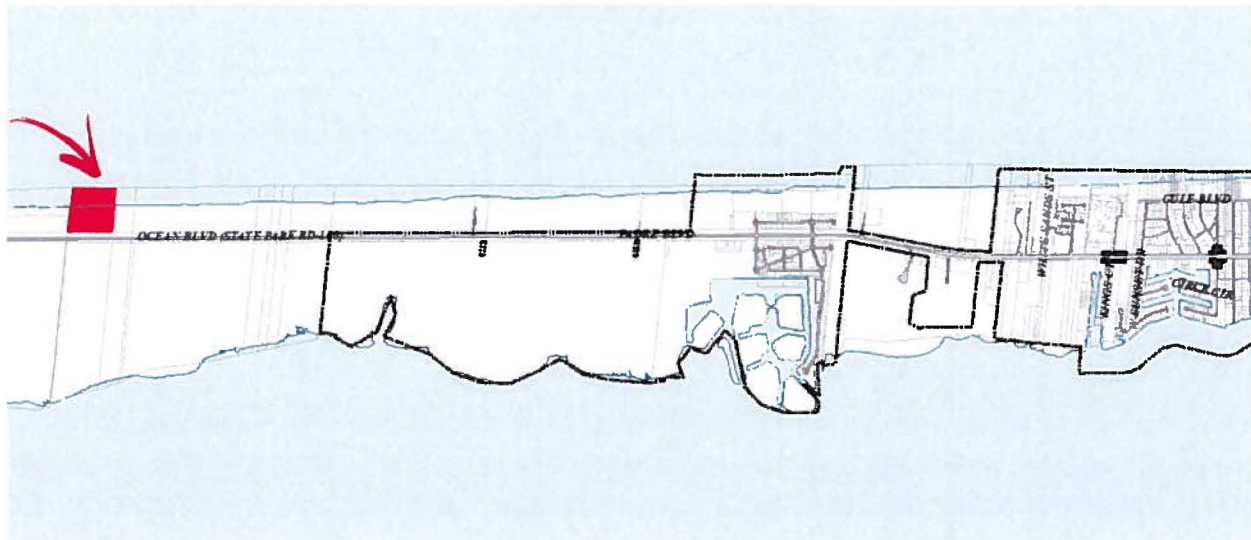
Discussion and action regarding the proposed replat of Sandbar Estates, proposing to split it into 16 lots.

DISCUSSION:

The Ownership

1. The entire lots belong to Sandbar Properties Incorporated, according to the Special Warranty Deed dated September 25, 2000.

Location



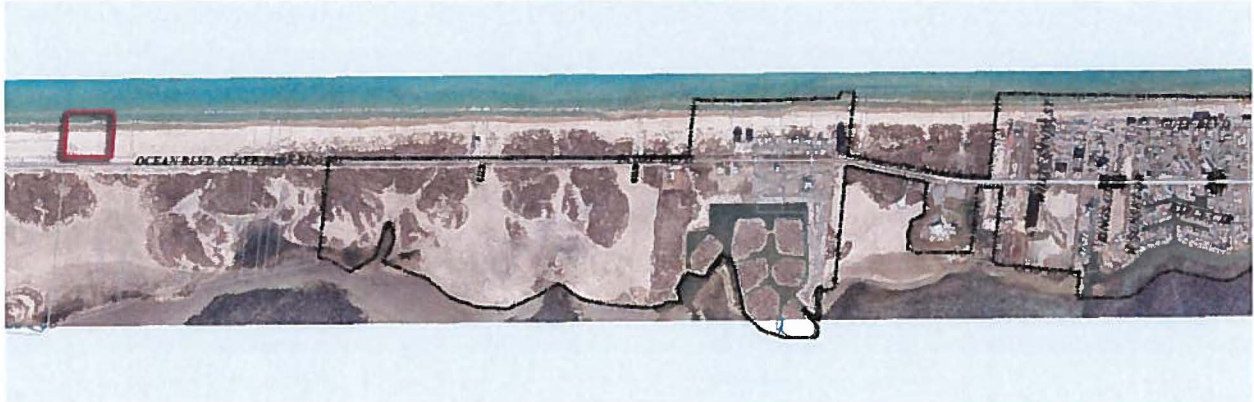
The Requirements

1. The lot is in the unincorporated Cameron County, approximately 0.8-mile north from the City's northern boundaries. It therefore is located within the City's ETJ, and falls into County's residential zone (G District).
2. The City requires lot dimension to be minimum 25' (width) X 100' (depth), and the subdivided lots meet the requirements.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

3. It is infrastructure ready: electricity and water lines already exist on the subject property. Also, State Park Road 100 serves the property.

Aerial Photo



4. The Cameron County approved the preliminary plat on October 4, 2016.
5. The Texas General Land Office provided comments on 'Dune Protection Permit and Beachfront Construction Certificate (GLO ID No. BDCAM-16-0012b)' on June 30, 2016, and Cameron County Commissioners issue the permit on July 26, 2016.
6. According to Sec.23-14(F), a developer shall install a sidewalk on a public street right-of-way. In this case, the public right-of-way would be Padre Boulevard (State Park Road 100), which belongs to TxDOT, and the City currently has no sidewalk plan, which is mutually agreed with TxDOT, for the area. Therefore, performance guarantee is not required.
7. The City's Subdivision Ordinance Sec.23.12(D)(5) states: "Approval of the record plat shall be effective for a period of sixty (60) calendar days following the date of Commission approval, at the end of which time, recording of the record plat with the County Clerk's Office must have been completed. If any record plat is not filed within this time period, the record plat shall be null and void and the applicant shall be required to resubmit a new plat for approval subject to all zoning and subdivision regulations in effect at the time of resubmission. At the request of the applicant, and upon cause shown, the Planning and Zoning Commission may extend the approval of the record plat not to exceed one (1) year beyond this expiration date."
8. The applicant requests the one year extension due to difficulties in coordinating the schedule between the City and the County.

Staff Recommendation

The proposed subdivision meets all minimum requirements of Section 20 Zoning and Section 23 Subdivision Regulations.

RIO GRANDE COUNTY
58500

SPECIAL WARRANTY DEED

Date: September 25, 2000

Grantor: L.M.B PARTNERSHIP, LTD. **OFFICIAL RECORDS**

Grantors' Mailing Address (including county):

VOL. 6561 PAGE 289

P.O. Box 593
Mission, Texas 78572
Hidalgo County, Texas

Grantee: SANDBAR PROPERTIES INCORPORATED, a Florida corporation

Grantee's' Mailing Address:

2030-2 Thomasville Road
Tallahassee, FL32312

Consideration: Ten Dollars and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

That certain real property being more particularly described on Exhibit "A" which is attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

SAVE AND EXCEPT all oil, gas and other minerals.

Rights, rules and regulations by law in favor of Laguna Madre Water District.

Any loss or gain of the land herein, any erosions, reliction or accretions from natural or artificial forces to land bordering on the Laguna Madre on the Gulf of Mexico.

Right of the Public, Individually and Collectively, to use any portion of the Property lying between the Mean Low Tide and/or the line of vegetation, bordering on the Gulf of Mexico, as said Mean High Tide or Mean Low Tide or line of vegetation is determined, defined or adjudicated in the statute or statutes of the State of Texas or any Court of competent jurisdiction (as defined by Section 61.011 of Texas Natural Resources Code).

Zoning regulations, rules and ordinances promulgated by the Commissioner's Court of Cameron County, Texas, and/or the Town of South Padre Island, Cameron County, Texas.

Title to any of the hereinabove described land not within the boundary line as decreed and established in the Judgment, in Cause No. 20-707-B styled The State of Texas vs Alberto Balli, et al, in the 117th Judicial District Court of Nueces County, Texas, recorded in Volume 14, Page 112, et seq., of the Minutes of said Court, that may be adjudicated or decreed to belong to the State of Texas. (The Judgment having established the "Boyles Survey Line").

Reservation of ½ oil, gas and other mineral royalties, described in instrument dated March 10, 1983, executed by Texas Commerce Bank, National Association to Lloyd L. Bolton, recorded in Volume 1334, Page 852, Deed Records of Cameron County, Texas, reference to which is here made for all purposes.


Visible and apparent easements on or across the Property in which a survey and/or physical inspection would disclose.


Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through or under Grantor but not otherwise, except as to the reservations from and exceptions to warranty.

BY THE ACCEPTANCE OF THIS DEED, GRANTEE IS TAKING THE PROPERTY "AS IS," "WHERE IS" AND "WITH ALL FAULTS", AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WRITTEN OR ORAL, IT BEING THE INTENTION OF GRANTOR AND GRANTEE TO EXPRESSLY NEGATE AND EXCLUDE ALL REPRESENTATIONS AND WARRANTIES, INCLUDING, BUT NOT LIMITED TO (I) THE PHYSICAL CONDITION OF THE PROPERTY OR ANY ELEMENT THEREOF, INCLUDING, WITHOUT LIMITATION, WARRANTIES RELATED TO SUITABILITY FOR HABITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE; (II) THE NATURE OR QUALITY OF CONSTRUCTION, STRUCTURAL DESIGN AND ENGINEERING OF ANY IMPROVEMENTS; (III) THE QUALITY OF THE LABOR AND MATERIALS INCLUDED IN ANY IMPROVEMENTS; (IV) THE SOIL CONDITIONS, (BOTH SURFACE AND SUBSURFACE); DRAINAGE OR OTHER CONDITIONS EXISTING AT THE PROPERTY WITH RESPECT TO ANY PARTICULAR PURPOSE, DEVELOPMENTAL, POTENTIAL OR OTHERWISE; (V) ALL WARRANTIES CREATED BY ANY AFFIRMATION OF FACT OR PROMISE OR BY ANY DESCRIPTION OF THE PROPERTY, AND (VI) ALL OTHER WARRANTIES, AND REPRESENTATIONS WHATSOEVER, EXCEPT THE WARRANTY OF TITLE EXPRESSLY SET FORTH HEREIN.

When the context requires, singular nouns and pronouns include the plural.

L.M.B. PARTNERSHIP, LTD.

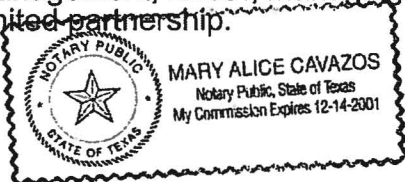
By:  Arrowhead Management, L.L.C.,
Managing General Partner

By: 
Donald L. Bentsen,
Executive Manager

STATE OF TEXAS
COUNTY OF HIDALGO

(ACKNOWLEDGMENT) VOL. 6561 PAGE 291

This instrument was acknowledged before me on the 25 day of September, 2000, by Donald L. Bentsen, Executive Manager of Arrowhead Management, L.L.C., Managing General Partner of L.M.B. Partnership Limited, a Texas limited partnership.



Mary Alice Cavazos
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Robert L. Schwarz
P. O. Box 3725
McAllen, Texas 78502-3725

PREPARED BY:

Atlas & Hall, L.L.P.
P. O. Box 3725
McAllen, TX 78502-3725

Being a 77.413 acres tract out of a 102.73 acres tract conveyed to Sal Del Rey Properties, Inc. by a deed recorded in Volume 1334, Page 852 of the Deed Records of Cameron County, Texas. Said 102.73 acres tract being part of that tract commonly referred to as the "South 2,000 acres of the King 6,000" acre on South Padre Island in Cameron County, Texas. Said 102.73 acres being part of a 887.79 acres tract described as Parcel Three in a Final Judgment of Partition dated November 10, 1975, Civil Action No. 74-B-102 in the United States District Court of the Southern District of Texas, Brownsville Division, recorded in Volume 1044, Pages 765 to 784 of the Deed Records of Cameron County, Texas. Said 77.413 acres tract being more particularly described as located as follows:

Commencing at a bolt found in the centerline of Texas State Park Road 100 for the intersection of said centerline and the North Latitude 26 degrees 08 minutes 47 seconds, thence, North 6 degrees 47 minutes 04 seconds West, at a distance of 13,214.55 feet along the centerline of Texas State Park Road 100 the intersection of south boundary line of said 102.73 acres tract, a bolt found North 1 degrees 23 minutes 17 seconds West, 0.27 feet from said intersection, a total distance of 13,514.55 feet to a cotton picker spindle set in the centerline of Texas State Park Road for the PLACE OF BEGINNING;

Thence, South 89 degrees 30 minutes 30 seconds West, at a distance of 100.61 feet to a point in the West right-of-way of Texas State Park Road 100, a total distance of 2776.18 feet to a concrete monument set in "mean higher high tide line" of Laguna Madre as surveyed and platted by the firm of "Claunch & Associates" during the months of August through November of 1970;

Thence, North 29 degrees 34 minutes 06 seconds West along said "mean higher high tide line", a distance of 979.40 feet to the northwest corner of said 102.73 acres tract;

Thence, North 89 degrees 30 minutes 30 seconds East, along the north line of said 102.73 acres tract, at a distance of 125.00 feet a concrete monument set, at an additional distance of 2,932.15 feet a concrete monument set in the west right-of-way of Texas State Park Road 100, an iron pin found North 70 degrees 38 minutes 58 seconds West, 0.13 feet from said concrete monument, at an additional distance of 100.61 feet a cotton picker spindle set in the centerline of Texas State Park Road 100, at an addition distance of 100.61 feet a concrete monument set in the east right of way of Texas State Park Road 100, a iron pin found South 10 degrees 17 minutes 24 seconds East, 0.04 feet from said concrete monument set, at an additional 450.00 feet a concrete monument set, a total distance of 4118.45 feet to a point of "mean higher high tide line" of the Gulf of Mexico as surveyed and platted by the firm of "Claunch & Associates" during the months of August through November of 1970;

Thence, South 8 degrees 21 minutes 00 seconds East said "mean higher high tide line", a distance of 864.08 feet for a corner;

Thence, South 89 degrees 30 minutes 30 seconds West, at a distance of 483.83 feet a concrete monument set, at an addition distance of 400.00 feet a concrete monument set in the east line of Texas State Park Road 100, a total distance of 984.44 feet to the POINT OF BEGINNING;

Said described tract containing 77.413 acres, more or less of which 3.954 acres is Texas State Park Road 100, save and except any changes in the "mean higher high tide line" which may have occurred since said "Claunch & Associates Survey".

**Cameron County Commissioners' Court
Agenda Request Form**

No. 3-P

Date: July 18, 2016

Meeting Date Request: July 26, 2016

Deadline for Action: July 26, 2016

Contact Person: Joe E. Vega

Department: Parks & Recreation

Phone: (956) 761-3700

Fax: (956) 761-5317

Department Head Name: Joe E. Vega

Signature: [Signature]

Caption: Consideration and possible action to approve Beach Front Construction Certificate and Dune Protection Permit for Paul M. Earnhart dba Sandbar Properties, Inc. for a development located on Park Road 100, Cameron County, Padre Island Unsubdivided, ABST 260, 77.413 acres out of 887.79 acres of the South 2000 acres of the King 6000 acres.

Background: (Briefly summarize your request, if needed use separate sheet(s) or attach supporting documentation).

The development consists of one single-family residence with a driveway on Lot 16, a perimeter fence around the entire subdivision, a private access road, and to mitigate for 14,446 cubic yards of adverse effects to dunes and dune vegetation. The mitigated dune will contain at least 16,533 cubic yards of sand, and be constructed to a width of at least 75 feet and a height of at least 12-13 feet. Sand fences are proposed to be located landward of the mitigated dune.

The Cameron County Dune Protection Committee met on July 6, 2016 to review the application and comments provided by the Texas General Land Office. The Dune Protection Committee made the recommendation that the Commissioners Court approves the Beach Front Construction Certificate and Dune Protection Permit presented by Mr. Paul Earnhart dba Sandbar Properties, Inc. and include in their recommendation the construction of a swimming pool. The committee felt that precedence had been set when the Hilton Garden Inn was permitted to build a pool by the County and the State.

In consultation with the GLO discussions were had with respect to their position that a swimming pool was not allowable under our existing plan. We discussed the Town of South Padre Island did allow swimming pools and the background on a negotiated settlement in the past as well as the erosion protection obligations the Town has that the County does not have. They emphasized that in the future approval of swimming pools might be allowed in the event a Dune Protection and Erosion Protection plan included a reasoned justification for such and erosion protection measures were found to be satisfactory. Under current circumstance a swimming pool building permit is not appropriate.

**PLEASE FILL IN ALL BLANKS WITH REQUIRED INITIALS AND FISCAL DATA INFORMATION
OR PLACE N/A IF IS NOT APPLICABLE:**

County Judge	N/A	Auditor	N/A	Budget	N/A	Legal	<u>[Signature]</u>	Human Resources	N/A	Purchasing	N/A
								1295 Form	N/A		

Fiscal Data:

Dept. Name: N/A

Fund No. N/A

Funds Available: Yes No

Funds From:

Department: Yes No

General: Yes No

Grant: Yes No

Amt. Expended: \$ N/A

Impact on future budget: Yes No

Comments:

Action taken by Commissioners' Court

Approved

Tabled

Denied

Motion made by

Seconded

Vote



COUNTY OF CAMERON

BEACHFRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT

A Beach Front Construction Certificate and Dune Protection Permit is hereby granted to Paul M. Earnhart dba Sandbar Properties, Inc. (his/its heirs, successors and/or assigns) for a development located on Park Road 100, Cameron County, Padre Island Unsubdivided, ABST 260. 77.413 acres out of 887.79 acres of the South 2000 acres of the King 6000 acres. The development consists of one single-family residence with a driveway on Lot 16, a perimeter fence around the entire subdivision, a private access road, and to mitigate for 14,446 cubic yards of adverse effects to dunes and dune vegetation. The mitigated dune will contain at least 16,533 cubic yards of sand, and be constructed to a width of at least 75 feet and a height of at least 12-13 feet as shown on Exhibit B-1(b) Option A. Sand fences are proposed to be located landward of the mitigated dune.

On the 26th day of July 2016, in a regular meeting of the County Commissioners' Court it was voted on to approve the permit for Paul M. Earnhart dba Sandbar Properties, Inc. (hereinafter "Permittee") subject to the following:

- 1.) Any proposed construction that was not represented in the application materials or does not match what the GLO has represented in their letter or the County represents in this permit will require a separate permit from the County.
- 2.) The Permittee is required to apply for a new permit in the event of any material changes that occur after the permit is issued.
- 3.) The Permittee should ensure that paving is not within 200 feet of the LOV as determined by the GLO surveyor. In this area, the Permittee shall not pave the ground within or outside the footprint of the habitable structure.
- 4.) In the area landward of 200 feet from the LOV as determined by the GLO surveyor, the Permittee may use concrete to pave only the ground beneath the footprint of the proposed habitable structure. The footprint does not include driveways and areas beneath uncovered decks. Brick pavers, gravel, or crushed limestone may be used to construct the proposed driveway, only if the driveway is located landward of 200 feet from the LOV as determined by the GLO surveyor.

- 5.) Concrete may not be used to construct the private road identified as "Sandbar Lane" or "Sandbar Avenue" as identified on Exhibit B-1(b) Option A. In areas landward of 200 feet from the LOV, concrete is only permitted underneath the footprint of a habitable structure. Brick pavers, gravel, or crushed limestone may be used to construct this road. The Permittee is allowed the use of very limited concrete curbs to bracket the brick paver roadway. The concrete curb needs to be constructed to be 8 inches wide and 12 inches deep as identified on Exhibit A.
- 6.) Concrete post footings are permitted at a depth of either 21 or 33 inches at the foot of each fence post to stabilize the aluminum fence. The Permittee affirms that horizontal concrete footers will not be used to connect the post footings. The aluminum fence must be constructed exactly as proposed in the application materials and may not be constructed in any fashion that may function as a retaining wall or erosion response structure as defined in 31 TAC 15.
- 7.) The Permittee is required to elevate all structures on pilings in accordance with FEMA minimum standards or above the natural elevation, whichever is greater. The use of fill is prohibited for structural support of buildings in V Zones.
- 8.) The Permittee may construct an enclosure beneath the habitable structure only if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.
- 9.) Enclosures below the Base Flood Elevation (BFE) may only be used for building access, vehicle parking, and storage.
- 10.) The proposed construction of the habitable structure must be consistent with the FEMA-approved County Commissioner's Court Order.
- 11.) All structures located on property adjacent to the public beach must be designed for feasible relocation. Structures include buildings or any combination of all related components constructed on or affixed to the land.
- 12.) Construction activities must not impact the public's ability to use or access the beach.
- 13.) The construction of the drip irrigation system is permitted if the irrigation channels are located in a manner that avoids erosion and unnecessary construction of additional channels.
- 14.) Exhibit B-1(b) Option A shows the mitigated dune to be constructed to a height of at least 12-13 feet in elevation. The County and the GLO recommends increasing the height of this dune to a minimum of 15 feet so it provides the area landward of it adequate protection against flooding and erosion damage.
- 15.) The seaward toe of the mitigated dune on Lots 1-8 appears to be located seaward of the LOV. The Permittee is not allowed to restore dunes, even within 20-feet seaward of the

LOV, if such dunes would restrict or interfere with the public use of the beach at normal high tide.

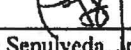
- 16.) The mitigated dunes must be continuous with any surrounding naturally formed dunes and must approximate the natural position, contour, volume, elevation and vegetative cover of any naturally formed dunes in the restoration area. Although the dune restoration project at the seaward edge of the property complies with this provision, the Permittee must use this methodology for mitigating impacts to the large dune on the north edge of the property. So as to not compromise the existing dune on the property to the north, the Permittee has been advised that the GLO and the County recommend gradually tapering the elevation into Lot 1 and complying with the provisions outlined above. This does not authorize Permittee to enter on to or perform work on anyone else's property without authorization of the landowner.
- 17.) The Permittee proposes to vegetate the entire area not covered by structures. The Permittee must restore or repair dunes using indigenous vegetation that will achieve the same protective capability as the surrounding natural dunes.
- 18.) The use of sand fences should conform to the GLO's guidelines provided in the Dune Protection and Improvement Manual for the Texas Gulf Coast, and can be found at <http://www.glo.texas.gov/coast/coastal-management/forms/files/dune-protection-manual-gpb.pdf>.
- 19.) The Permittee must use beach-quality sand as fill material and for construction of the proposed dune that is the same mineralogy and grain size as what is on site.
- 20.) Any sand, soil, or sediment used as fill must not contain hazardous substances in concentrations that are harmful to people, flora, and fauna as determined by applicable requirements for toxicity standards established by the local, state, and federal governments. The Permittee shall use the source of fill (river sand) or equivalent identified by the Permittee in correspondence related to the application. In the event Permittee elects to use equivalent fill he must get approval from the GLO.
- 21.) The Permittee has provided a copy of a permit from the Texas Department of Transportation (TxDOT) that appears to grant approval to complete various landscaping activities in the TxDOT Right-of-Way (ROW). The GLO affirmed that the activities proposed are in compliance with the Beach/Dune rules; however, this assertion does not authorize the Permittee to work in the TxDOT ROW without the required relevant permits and authority.
- 22.) The construction activities must not result in the potential for increased flood damage to the construction site or adjacent property, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely effect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.

- 23.) The construction activities must minimize impacts on natural hydrology and not cause erosion of adjacent properties, critical dune areas, or the public beach.
- 24.) The Permittee must begin compensation for any adverse effects to dunes and dune vegetation prior to or concurrent with the commencement of construction.
- 25.) The Permittee must conduct compensation efforts continuously until the repaired, rehabilitated, and restored dunes and dune vegetation are equal or superior to the pre-existing dunes and dune vegetation. These efforts shall include preservation and maintenance pending completion of compensation.
- 26.) Once the compensation is complete the County will provide written notification to the GLO that the compensation is complete. The GLO may conduct a field inspection to verify compliance.
- 27.) The Permittee shall be deemed to have failed to achieve compensation and will violate the compensation deadline if a 1:1 ratio has not been achieved within three years after beginning compensation efforts.
- 28.) The Permittee shall conform to the GLO's Comment Letter dated June 30, 2016, Exhibit B.
- 29.) The Permittee shall be required to use the Mean Low Tide (MLT) location as well as the 200 feet from MLT as identified on the GLO's Exhibit of Sandbar Estates; attached to the GLO comment letter dated June 30, 2016, Exhibit B, unless the GLO, at its discretion, later determines the LOV to be in another location. If the GLO performs another LOV determination and finds that it is in another location it may be a material change, which will require a new permit.
- 30.) This permit does not constitute a building permit. Permittee must obtain a building permit or approval from the Cameron County Department of Transportation prior to any work commencing on any fences, roads or structures.

Permit must be kept at Construction Site.

Permit is valid for three (3) years and may be renewed for two (2) consecutive ninety day periods thereafter.

Signed this 26th day of July 2016

By: 
Pete Sepulveda, Jr., County Judge

Attested By: 

Sylvia Garza-Perez, County Clerk





TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

June 30, 2016

Exhibit B

Via Electronic Mail

Mr. Joe Vega
Director, Cameron County Parks & Recreation Department
33174 State Park Road 100-South
South Padre Island, Texas 78597

Dune Protection Permit and Beachfront Construction Certificate in Cameron County

Site Location: Park Road 100, Cameron County

Legal Description: Padre Island Unsubdivided, ABST 260, 77.413 acres out of 887.79 acres of the South 2000 acres of the King 6000 acres

Applicant: Paul M. Eamhart

GLO ID No: BDCAM-16-0012b

Dear Mr. Vega:

The General Land Office (GLO) has reviewed the additional application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to construct one single-family residence with associated amenities on Lot 16, a perimeter fence around the entire subdivision, a private access road, and to mitigate for 14,446 cubic yards of adverse effects to dunes and dune vegetation. The mitigated dune will contain 16,533 cubic yards of sand, and be constructed to a width of 75 feet and a height of 12-13 feet. Sand fences are proposed to be located landward of the mitigated dune. According to the Bureau of Economic Geology, the proposed construction is located in an area that is eroding at a rate of twelve to thirteen feet per year.

The GLO conducted a line of vegetation (LOV) determination for this project in accordance with Section 61.016 of the Texas Natural Resources Code. The diagram included with this letter depicts the GLO surveyed LOV, overlaid on the most recent mitigation plan and dune restoration proposal from the applicant.¹ In addition, we are providing the applicant with a list of locational data for mean low tide and for 200 feet landward of mean low tide on the attached "Points List." Should the applicant or the applicant's licensed land surveyor have questions or need assistance locating any of the provided data points, Mr. David Pyle, (LSLS) and the GLO surveyor for this project, may be reached at (512) 463-5229.

Based on the materials forwarded to our office for review and subsequent communications with the applicant and the County, we have the following comments:

- The applicant has provided several modifications to the application and the GLO has made a good faith effort to accurately characterize the applicant's representation of the final development plan in this comment letter. Any proposed construction that was not represented in the application materials or does not match what the GLO has represented in this letter will require clarification and may

¹ Exhibit B-1(b) Option A, Mejia and Rose Grading and Drainage Plan, dated May 11, 2016 and e-mailed to the GLO by the applicant on June 17, 2016.

require additional review and comment by the GLO. The County shall require the applicant to apply for a new permit in the event of any material changes that occur after the permit is issued. If such changes occur before the County issues the permit or certificate, the County must require the applicant to modify the application to disclose all information relevant to the changes.²

- It appears to the GLO that portions of the proposed habitable structure may be located within 200 feet from the LOV as determined by the GLO surveyor. The applicant should ensure that paving is not within 200 feet of the LOV as determined by the GLO surveyor. In this area, the County shall not allow the applicant to pave the ground within or outside the footprint of the habitable structure.³
- In the area landward of 200 feet from the LOV as determined by the GLO surveyor, the applicant may use concrete to pave only the ground beneath the footprint of the proposed habitable structure.⁴ The footprint does not include driveways and areas beneath uncovered decks.⁵
- Brick pavers, gravel, or crushed limestone may be used to construct the proposed driveway, only if the driveway is located landward of 200 feet from the LOV as determined by the GLO surveyor.⁶
- Concrete may not be used to construct the private road identified as "Sandbar Lane" or "Sandbar Avenue" as identified on Exhibit B-1(b). In areas landward of 200 feet from the LOV, concrete is only permitted underneath the footprint of a habitable structure.⁷ Brick pavers, gravel, or crushed limestone may be used to construct this road.
- Based on the applicant's latest development plan, it is unclear whether the 6-foot aluminum fence is represented as the red line on Exhibit B-1(b) Option A or is located within the restored dune. It appears that the latest version of the Exhibit failed to move the labels along with the location of the dune and fences landward. It appears that the applicant intends for both the aluminum fence and sand fences to be landward of the restored dune which is consistent with 31 TAC 15.4.
- Concrete post footings are proposed for placement at a depth of either 21 or 33 inches at the foot of each fence post to stabilize the aluminum fence as shown on the "Ameristar Perimeter Security" fence diagram provided in the application. The applicant affirms that horizontal concrete footers will not be used to connect the post footings. The aluminum fence must be constructed exactly as proposed in the application materials and may not be constructed in any fashion that may function as a retaining wall or erosion response structure as defined in 31 TAC 15.

² 31 Tex. Admin. Code § 15.3(i)(4).

³ Cameron County Dune Protection & Beach Access Plan (IV)(A)(3).

⁴ 31 Tex. Admin. Code § 15.6(f)(3).

⁵ 31 Tex. Admin. Code § 15.2(37).

⁶ 31 Tex. Admin. Code § 15.6(f)(3).

⁷ 31 Tex. Admin. Code § 15.6(f)(3) and Cameron County Dune Protection & Beach Access Plan (IV)(A)(3).

- The applicant is required to elevate all structures on pilings in accordance with FEMA minimum standards or above the natural elevation, whichever is greater.⁸ The use of fill is prohibited for structural support of buildings in V Zones.⁹
- In Exhibit F-3, the applicant proposes a habitable structure that includes a garage and an office on the lowest floor. The County may permit the applicant to construct an enclosure beneath the habitable structure only if the walls are breakaway or louvered and the construction is consistent with the requirements of the National Flood Insurance Program.¹⁰ Enclosures below the Base Flood Elevation (BFE) may only be used for building access, vehicle parking, and storage.¹¹
- The County must ensure the proposed construction of the habitable structure is consistent with the FEMA-approved county commissioners court order.¹²
- The County shall require that all structures located on property adjacent to the public beach be designed for feasible relocation.¹³ Structures include buildings or any combination of all related components constructed on or affixed to the land.¹⁴
- Construction activities must not impact the public's ability to use or access the beach.
- It remains unclear from the application if a swimming pool and hot tub are currently being proposed or not. The County may not issue a permit to construct a swimming pool until the County's Beach Access and Dune Protection Plan is amended to allow such construction to occur and is certified as consistent with state law by the GLO.¹⁵ The construction of a pool is not consistent with 31 TAC 15.6 or the County's Plan.
- The County may permit the construction of the drip irrigation system if the irrigation channels are located in a manner that avoids erosion and unnecessary construction of additional channels.¹⁶
- Exhibit B-1(b) Option A¹⁷ shows the mitigated dune to be constructed to a height of 12-13 feet in elevation. The GLO recommends increasing the maximum height of this dune so it provides the area landward of it adequate protection against flooding and erosion damage.
- It appears that dune mitigation as proposed in Exhibit B-1(b) Option A¹⁸ is consistent with 31 TAC 15.7(e). However, the seaward toe of the mitigated dune on Lots 1-8 appears to be

⁸ Cameron County Dune Protection & Beach Access Plan (IV)(A)(1).

⁹ NFIP Regulations: Floodplain Criteria 60.3(e)(6).

¹⁰ 31 Tex. Admin. Code § 15.6(f)(4).

¹¹ NFIP Regulations: Floodplain Criteria 60.3(e)(5)(ii).

¹² 31 Tex. Admin. Code § 15.6(e)(3).

¹³ 31 Tex. Admin. Code § 15.6(f)(2).

¹⁴ 31 Tex. Admin. Code § 15.2(70).

¹⁵ 31 Tex. Admin. Code § 15.3(a)(6).

¹⁶ 31 Tex. Admin. Code § 15.4(f)(2)(D).

¹⁷ Exhibit B-1(b) Option A, Mejia and Rose Grading and Drainage Plan, dated May 11, 2016 and e-mailed to the GLO by the applicant on June 17, 2016.

¹⁸ Exhibit B-1(b) Option A, Mejia and Rose Grading and Drainage Plan, dated May 11, 2016 and e-mailed to the GLO by the applicant on June 17, 2016.

located seaward of the LOV. The County shall not allow the applicant to restore dunes, even within 20-feet seaward of the LOV, if such dunes would restrict or interfere with the public use of the beach at normal high tide.¹⁹

- The mitigated dunes must be continuous with any surrounding naturally formed dunes and must approximate the natural position, contour, volume, elevation and vegetative cover of any naturally formed dunes in the restoration area.²⁰ Although the dune restoration project at the seaward edge of the property complies with this provision, the applicant must use this methodology for mitigating impacts to the large dune on the north edge of the property. So as to not compromise the existing dune on the property to the north, the GLO recommends gradually tapering the elevation into Lot 1 and complying with the provisions outlined above. This recommendation does not authorize applicant to enter on to or perform work on anyone else's property without authorization of the landowner.
- The applicant proposes to vegetate the entire area not covered by structures. The applicant must restore or repair dunes using indigenous vegetation that will achieve the same protective capability as the surrounding natural dunes.²¹
- The use of sand fences should conform to the GLO's guidelines provided in the Dune Protection and Improvement Manual for the Texas Gulf Coast, and can be found at <http://www.glo.texas.gov/coast/coastal-management/forms/files/dune-protection-manual-gpb.pdf>.
- The applicant must use beach-quality sand as fill material and for construction of the proposed dune that is the same mineralogy and grain size as what is on site.²²
- Any sand, soil, or sediment used as fill must not contain hazardous substances in concentrations that are harmful to people, flora, and fauna as determined by applicable requirements for toxicity standards established by the local, state, and federal governments.²³ The GLO recommends using the source of fill (river sand) identified by the applicant in correspondence related to the application.
- The applicant has provided a copy of a permit from the Texas Department of Transportation (TxDOT) that appears to grant approval to complete various landscaping activities in the TxDOT Right-of-Way (ROW). The GLO affirms that the activities proposed are in compliance with the Beach/Dune rules; however, this assertion does not authorize the applicant to work in the TxDOT ROW without the required relevant permits and authority.
- The proposed construction activities must not result in the potential for increased flood damage to the proposed construction site or adjacent property, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely effect

¹⁹ 31 Tex. Admin. Code § 15.7(e)(2).

²⁰ 31 Tex. Admin. Code § 15.7(e)(3).

²¹ 31 Tex. Admin. Code § 15.4(f)(3)(A)(iv).

²² 31 Tex. Admin. Code § 15.4(c)(3).

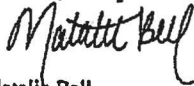
²³ 31 Tex. Admin. Code § 15.4(c).

dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.²⁴

- The proposed construction activities must minimize impacts on natural hydrology and not cause erosion of adjacent properties, critical dune areas, or the public beach.²⁵
- The County must require the applicant to begin compensation for any adverse effects to dunes and dune vegetation prior to or concurrent with the commencement of construction. If mitigation and compensation is not completed prior to the commencement of construction, the County must require that the applicant provide proof of financial responsibility in an amount equal to that necessary to complete the mitigation. This can be done in the form of an irrevocable letter of credit, performance bond, or other instrument acceptable to the County.²⁶
- The County must require the applicant to conduct compensation efforts continuously until the repaired, rehabilitated, and restored dunes and dune vegetation are equal or superior to the pre-existing dunes and dune vegetation. These efforts shall include preservation and maintenance pending completion of compensation.²⁷
- The County shall determine a mitigation project is complete when the dune restoration project's position, contour, volume, elevation, and vegetative cover have reached a level that matches or exceeds the surrounding naturally formed dunes.²⁸
- The County shall provide written notification to the GLO after determining that the compensation is complete. The GLO may conduct a field inspection to verify compliance.²⁹
- The permittee shall be deemed to have failed to achieve compensation and will violate the compensation deadline if a 1:1 ratio has not been achieved within three years after beginning compensation efforts.³⁰

If you have any questions, please contact me at (512) 463-0413 or by e-mail at natalie.bell@glo.texas.gov.

Sincerely,



Natalie Bell
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

²⁴ 31 Tex. Admin. Code § 15.4(d).

²⁵ 31 Tex. Admin. Code § 15.6(g).

²⁶ 31 Tex. Admin. Code § 15.4(g)(1).

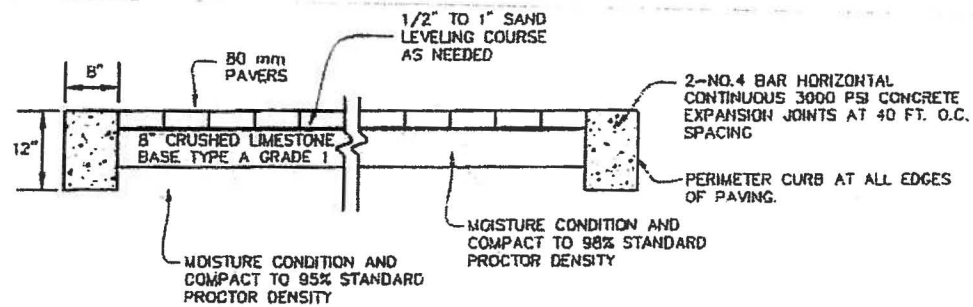
²⁷ 31 Tex. Admin. Code § 15.4(g)(2).

²⁸ 31 Tex. Admin. Code § 15.4(g)(3).

²⁹ 31 Tex. Admin. Code § 15.4(g)(4).

³⁰ 31 Tex. Admin. Code § 15.4(g)(5).

Exhibit A



1 BRICK PAVER DRIVEWAY DETAIL

N.T.S.

Option A



SCALE: 1"=100'

NEW RIDGE

APPROXIMATE SHORELINE
(LINE OF MEAN HIGHER HIGH TIDE)

1872

NOTES:

1. SEE PRELIMINARY PLAT FOR EXISTING CONTOURS
2. PEAK OF ALL PROPOSED DUNES WILL BE ELEV. 13

GRADING AND DRAINAGE PLAN
FOR
SANDBAR ESTATES SUBDIVISION
May 10, 2018

Mejia & Rose, Incorporated
Engineering
T.B.P.E. Reg. No. F-2870
T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3781 Brownsville, Texas 78520
Fax (956) 544-3088

Engineering
T.E.P.S. Reg. No. F-2870
T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 644-3022
P.O. Box 3781 Brownsville, Texas 78520
Fax (956) 644-3088

From: Erika Garza <Erika.Garza@co.cameron.tx.us>

To: americanlandco <americanlandco@aol.com>

Date: Wed, Aug 17, 2016 4:50 pm

Attachments: Action No. 3P.pdf (347K)

Enclosed please find the minutes approved for Action Item 3P on July 26, 2016.

If you have any questions, please do not hesitate to contact our office.

Thank you,

Erika Garza

County Clerk's Office

Commissioners' Court Secretary

1100 E. Monroe St., Suite 136

Brownsville, Texas 78520

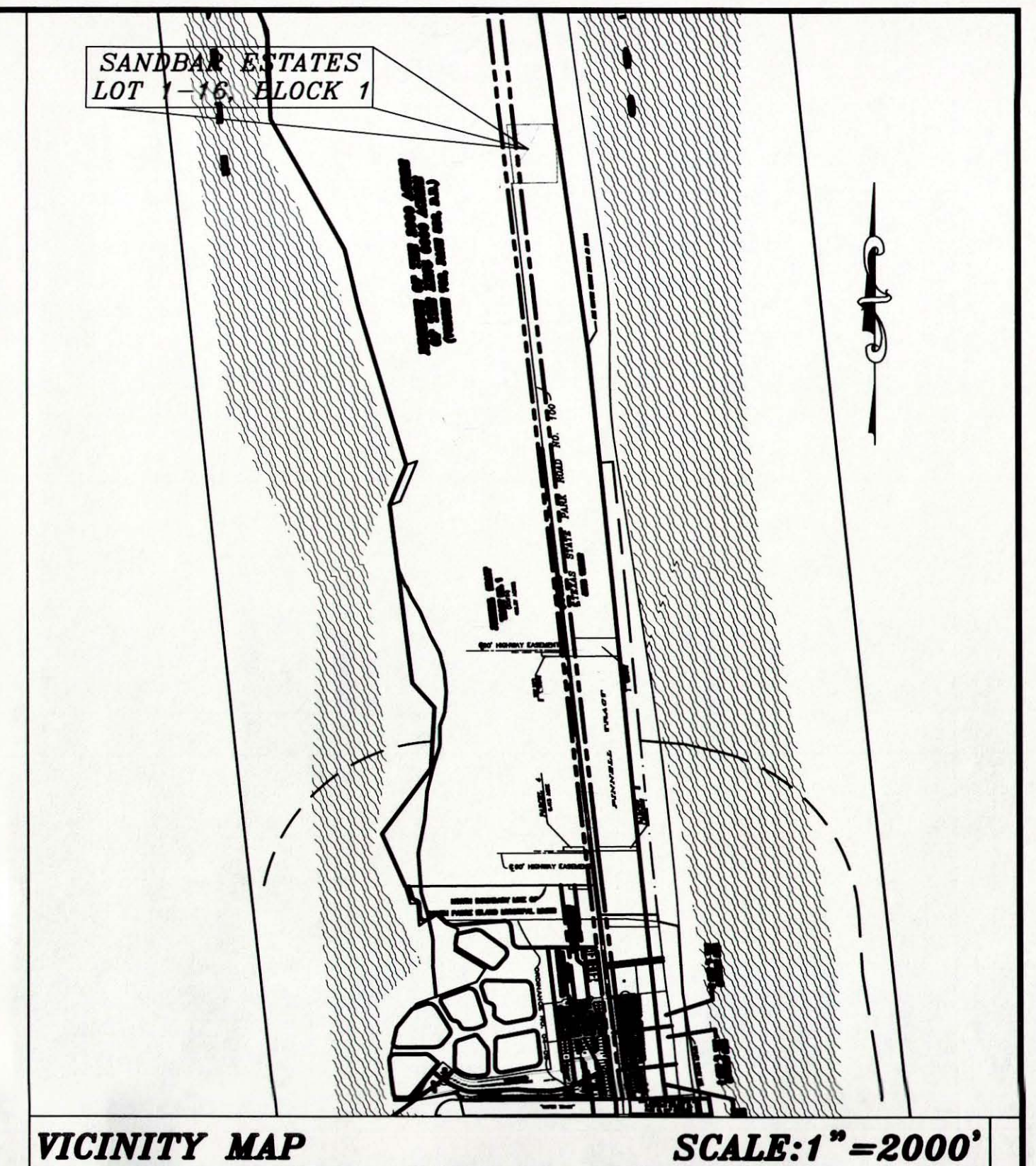
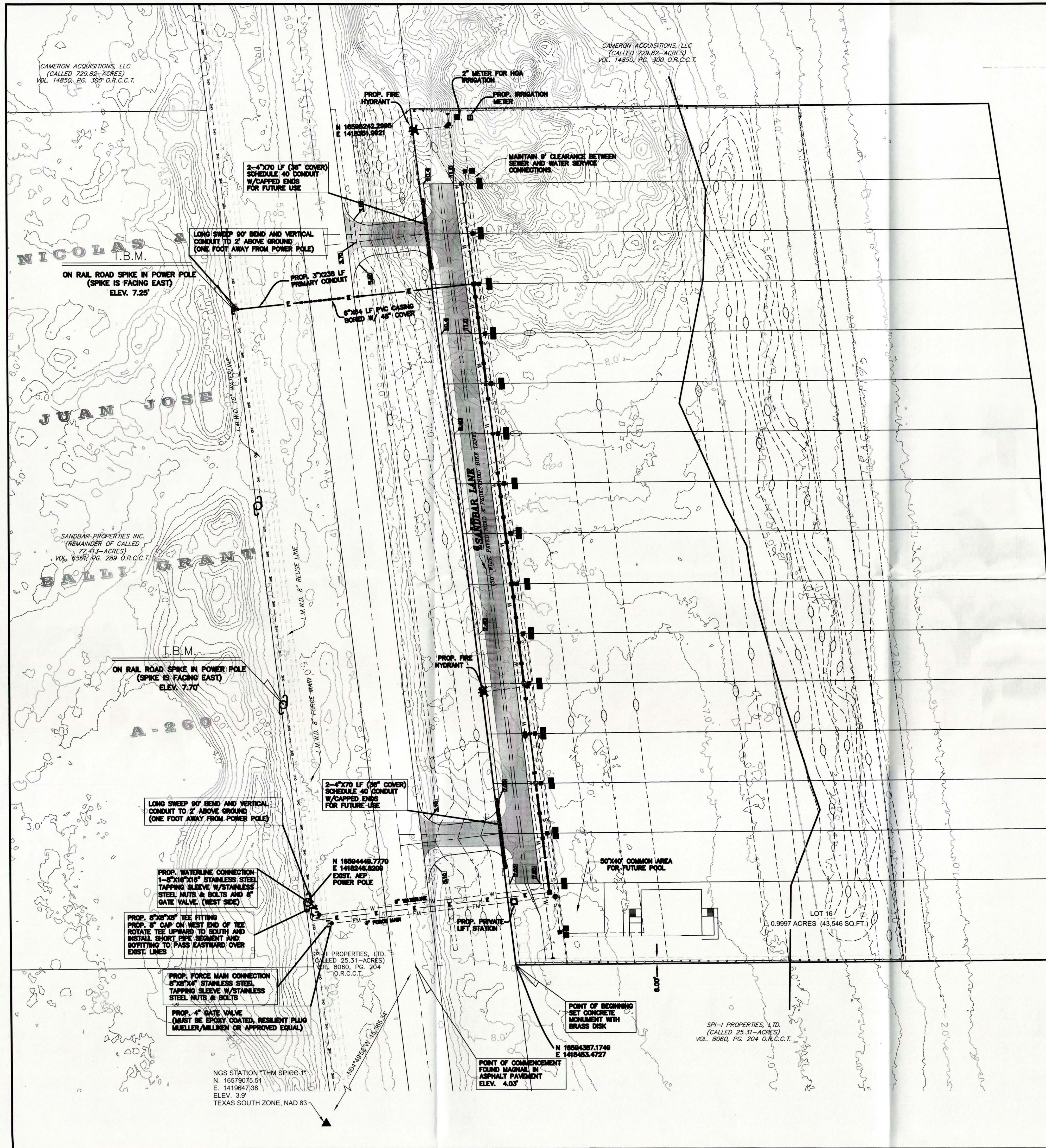
Phone: (956) 982-5467

e-mail: Erika.garza@co.cameron.tx.us

-
- (P) **CONSIDERATION AND POSSIBLE ACTION TO APPROVE BEACH FRONT CONSTRUCTION CERTIFICATE AND DUNE PROTECTION PERMIT FOR PAUL M. EARNHART DBA SANDBAR PROPERTIES, INC. FOR A DEVELOPMENT LOCATED ON PARK ROAD 100, CAMERON COUNTY, PADRE ISLAND UNSUBDIVIDED, ABST 260, 77.413 ACRES OUT OF 887.79 ACRES OF THE SOUTH 2000 ACRES OF THE KING 6000 ACRES. (JEV-PARKS)**

Commissioner Benavides motioned to approve the Beach Front Construction Certificate and Dune Protection Permit for Paul M. Earnhart Dba Sandbar Properties, Inc. for a development located on Park Road 100, Cameron County, Padre Island Unsubdivided, ABST 260, 77.413 acres out of 887.79 acres of the South 2000 acres of the King 6000 Acres.

The motion was seconded by Commissioner Dominguez and carried unanimously.



VICINITY MAP **SCALE: 1"=2000'**

NOTES:

1. BASIS OF BEARING OF THIS SURVEY IS GRID NORTH AS OBSERVED BY GPS, TEXAS SOUTH ZONE 4205, NAD 83 WITH A COMBINED SCALE FACTOR OF 0.999995884.
2. PARENTHESIS INDICATE CALL BEARING AND / OR DISTANCE.
3. ● FOUND 5/8" STEEL ROD (OR AS NOTED)

○ SET 5/8" STEEL ROD

□ SET CONCRETE MONUMENT
4. THE PLATTED AREA CONTAINS A TOTAL OF 11.173-ACRES OR 486,688 SQUARE FEET.
5. NE EASEMENT RESEARCH HAS BEEN PERFORMED BY COYM, REHMET, AND GUTIERREZ ENGINEERING, L.P.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONES V10 (EL. 10') & V10 (EL. 11'). AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION), BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF CAMERON COUNTY, TEXAS, PANEL NO. 480101 0200 D, EFFECTIVE DATE: MAY 4, 1992.
7. MINIMUM ELEVATION OF LOWEST HORIZONTAL STRUCTURAL MEMBER OF THE FINISHED FLOOR MUST BE AT ELEVATION 10' OR ABOVE.
8. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
9. THIS PROPERTY LIES NORTH OF THE CITY LIMITS OF THE CITY OF SOUTH PADRE ISLAND. THIS PROPERTY ALSO LIES WITH THE ETJ BOUNDARY OF THE CITY OF SOUTH PADRE ISLAND.
10. THE RECEIVING WATERS FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE GULF OF MEXICO, SEGMENT 2501. THE TCEQ HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE GULF OF MEXICO AS "EXCEPTIONAL" AND CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATION USE".
11. FOR INFORMATIONAL PURPOSES ONLY, THE CONTOURS SHOWN HEREIN ARE FROM EXISTING LIDAR DATA PERFORMED BY THE NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION (NOAA), TAKEN IN 2009.
12. UTILITIES SHOWN HEREIN ARE FROM INFORMATION OF RECORD AND HAVE NOT BEEN FIELD VERIFIED. COORDINATION WITH ALL UTILITY COMPANIES IS REQUIRED PRIOR TO DEVELOPMENT.
13. LOT 16, BLOCK 1 HAS A 6' WIDE PRIVATE PEDESTRIAN ACCESS WHICH IS RESERVED FOR INGRESS / EGRESS BETWEEN PARK ROAD 100 AND BEACH ACCESS FOR THE TENANTS OF SANDBAR ESTATES, LOTS 1 - 16, BLOCK 1 AND IS NOT INTENDED FOR PUBLIC USE.
14. SETBACK RESTRICTIONS; ACCORDING TO ZONING CLASSIFICATION.
15. THIS PROPERTY IS ZONED "RESORT" G⁺ UNDER PADRE ISLAND ZONING ORDINANCE.
16. "LOCAL GOVERNMENT CODE §232.032, STATES THAT THE SUBDIVIDER SHALL FURNISH ADEQUATE DRAINAGE MEETING STANDARD ENGINEERING PRACTICE. IT IS ALSO UNDERSTOOD THAT THE RESPONSIBILITY AND LIABILITY FOR THE ADEQUACY OF THE DRAINAGE DESIGN SHALL REMAIN WITH THE PROFESSIONAL DESIGN ENGINEER SEALING THE DOCUMENTS."
17. FLOOD INSURANCE MAY BE REQUIRED
18. PROPOSED IMPROVEMENTS MUST COMPLY WITH THE LATEST CAMERON COUNTY FLOODPLAIN REGULATIONS.
19. CONSTRUCTION IN THE SITE WOULD BE IN CONTROL BY RESTRICTIVE COVENANTS TO BE RECORDED IN OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

STATE OF TEXAS §
11.17 ACRES

COUNTY OF CAMERON §

FIELD NOTES to describe the boundary of a 11.17-acre tract of land, being the eastern portion of a called 77.413-acres described as "Exhibit A" in a deed to Sandbar Properties Inc. as recorded in Volume 6561, Page 289, Deed Records, Cameron County, Texas, being out of the Nicolas and Juan Balli Grant, Abstract 260 in Cameron County, Texas, said tract being more particularly described by metes and bounds as follows:

COMMENCING at a Magnail found in the centerline of State Park Road 100 (200' r.o.w.), the north line of a called 25.31-acre tract described in a deed to SPI-1 Properties, Ltd. as recorded in Volume 8060, Page 204, Official Records, Cameron County, Texas, the south line of said 77.413-acre tract and the south line of this tract from which an NGS Station named "THM SPICC 1" bears S-04°-49'-58"-E, 15,365.34', said NGS Station having coordinates of N 16579075.51, E 1419647.38, TX S NAD 83:

THENCE, N-89°-30'-30"-E, along the north line of said 25.31-acre tract, a distance of 100.60' to a 5/8" steel rod set on the east right-of-way of said road for the POINT OF BEGINNING and the southwest corner of this tract;

THENCE, N-06°-46'-04"-W, along the east right-of-way of said road, a distance of 861.13' to a 5/8" steel rod found in the south line of a called 450.893-acre tract of land described as "Tract 1" in a deed to the Zohouri Group South Padre, L.P. as recorded in Volume 11536, Page 161, Official Records, Cameron County, Texas and the northwest corner of this tract;

THENCE, N-89°-30'-30"-E, along the south line of said 450.893-acre tract, a distance of 574.41' to a point in the Mean Higher High Water Line being the west line of the Gulf of Mexico State Land Submerged Tract 1195 for the southeast corner of said 450.893-acre tract and the northeast corner of this tract;

THENCE, S-08°-27'-17"-E, along said shoreline, a distance of 306.02' to a bend point in the east line of this tract;

THENCE, S-03°-28'-30"-E, continuing along said shoreline, a distance of 284.52' to a bend point in the east line of this tract;

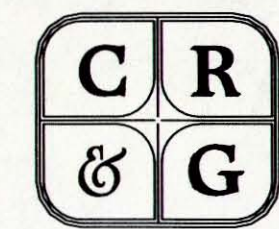
THENCE, S-00°-31'-56"-W, continuing along said shoreline, a distance of 268.80' to a point in the north line of said 25.31-acre tract for the southeast corner of this tract;

THENCE, S-89°-30'-30"-W, a distance of 532.67' to the POINT OF BEGINNING and containing 11.17-acres of land, more or less.

BEGINNING

PRELIMINARY PLAT OF
SANDBAR ESTATES
LOTS 1 - 16, BLOCK 1

SHOWING THE BOUNDARY OF AN 11.173-ACRE TRACT OF LAND OUT OF A CALLED 77.413-ACRES DESCRIBED AS "EXHIBIT A" IN A DEED TO SANDBAR PROPERTIES INC. AS RECORDED IN VOLUME 6561, PAGE 289, DEED RECORDS, CAMERON COUNTY, TEXAS, BEING OUT OF THE NICOLAS & JUAN JOSE BALLI GRANT, ABSTRACT 260 IN CAMERON COUNTY, TEXAS.

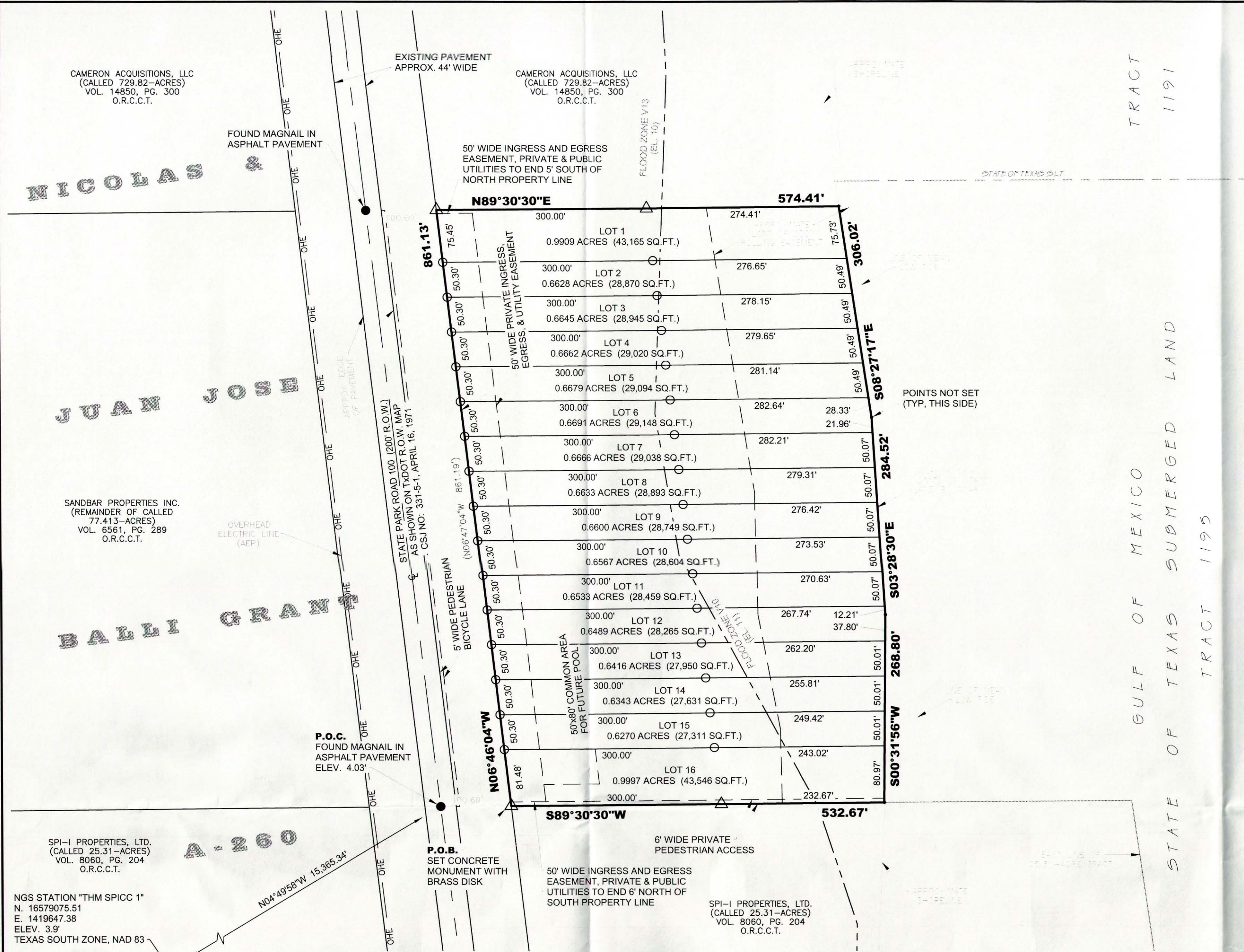


**Coy, Rehmet & Gutierrez
Engineering, L.P.**
TBPE Firm Reg. No. F-388
TBPLS Firm Reg. No. 101040-01
5656 South Staples, Suite 230
Corpus Christi, Texas 78411
Phone (361) 991-8550 Fax 993-7569
E-Mail crj@crgei.com

SURVEY DATE: AUGUST 12, 2015
SURVEY PREPARED: JANUARY 22, 2016
CRG JOB: 20935C
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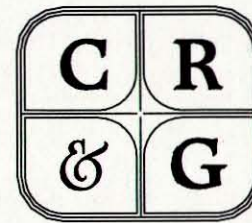
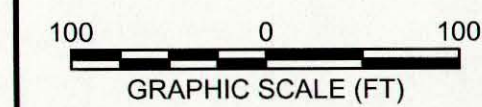
SHEET NO.
1

379



FINAL ENGINEERING REPORT FOR SANDBAR ESTATES SUBDIVISION:
WATER SUPPLY: DESCRIPTION, COSTS, AND OPERABILITY DATE

SANDBAR ESTATES SUBDIVISION will be provided potable water by Laguna Madre Water District (LMWD). The subdivider and Laguna Madre Water District have entered into a contract in which Laguna Madre Water District has promised to provide sufficient water to the subdivision for at least 30 years and Laguna Madre Water District has provided documentation to sufficiently establish the long term quantity of the available water supplies to serve the 16 developed lots of SANDBAR ESTATES SUBDIVISION plus one home owners association. The subdivider has installed an 8" connection to an existing 12" waterline belonging to Laguna Madre Water District on the west side of Park Road 100 and has installed an 8" waterline across Park Road 100 near the south entrance to the 16 lots on the East side of Park Road 100. The developer has also installed an 8" waterline running north across the front of the lots with service connection at each of the 16 lots plus home owners association. Two fire hydrants were installed, one approximately 150 feet north of the south entrance and a second at the northern boundary of the subdivision for flushing purposes as well for fire protection. An 8" valve and stub line was provided at both north and south sides of the subdivision for possible future extension by others. The 11.173 acre area including the sixteen developed lots was annexed to Laguna Madre Water District on May 12, 1986, as part of that annexation the then owner paid Laguna Madre Water District all fees, and transferred water rights as required by the district and detailed in the official "final order annexing property" to its boundaries recorded in Volume 66, Page 126 of the official record of Cameron County, Texas to cover all membership and other fees related to both sanitary sewer and water service. The subdivider has paid Laguna Madre Water District the amount of total amount of \$9,554.00 which includes \$, 562.00 per each of 17 service connection for water taps. The lot buyer may receive services upon application to Laguna Madre Water District and payment of a refundable meter deposit. The water system for SANDBAR ESTATES SUBDIVISION is operable as of this date.



Coym, Rehmet & Gutierrez Engineering, L.P.
TBPE Firm Reg. No. F-388
TBPLS Firm Reg. No. 101040-01
5656 South Staples, Suite 230
Corpus Christi, Texas 78411
Phone (361) 991-8550 Fax 993-7569
E-Mail crg@crgel.com

SURVEY DATE: AUGUST 12, 2015
SURVEY PREPARED: NOVEMBER 10, 2016
CRG JOB: 20935C
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SHEET 1 OF 1

FINAL ENGINEERING REPORT FOR SANDBAR ESTATES SUBDIVISION:
SEWERAGE FACILITIES: DESCRIPTION, COSTS, AND OPERABILITY DATE

SANDBAR ESTATES SUBDIVISION will be provided sanitary sewer service by Laguna Madre Water District (LMWD). The subdivider and Laguna Madre Water District have entered into a contract in which Laguna Madre Water District has promised to provide sufficient sewer collection and treatment service to the subdivision for at least 30 years and Laguna Madre Water District has provided documentation to sufficiently establish the long term waste water flow capacity to serve the sixteen developed lots of SANBAR ESTATES SUBDIVISION. The subdivider has installed a 4" connection to an existing 8" pressure main belonging to Laguna Madre Water District on the west side of Park Road 100 and has installed a 4" pressure main across Park Road 100 near the south entrance to the sixteen lots on the east side of Park Road 100. The developer has also installed a private sanitary sewer lift station near the south entrance and an 6" gravity collection line running north from the sanitary sewer lift station line with service connections at each of the 16 lots. The 11.173 acre area including the sixteen developed lots was annexed to Laguna Madre Water District on May 12, 1986, as part of that annexation the then owner paid Laguna Madre Water District all fees, and transferred water rights as required by the district and detailed in the official "final order annexing property" to its boundaries recorded in Volume 66, Page 126 of the official record of Cameron County, Texas to cover all membership and other fees related to both sanitary sewer and water service. The subdivider has paid Laguna Madre Water District in the total amount of \$8,670.00 which includes \$, 562.00 per each of 17 service connection for sewer taps, so that the lot buyer may receive service upon application to Laguna Madre Water District without charge.

Note: the sanitary sewer lift station and collection system is the property of the homeowners' association. Maintenance and operation of the lift station and collection will be the responsibility of the homeowners' association.

FINAL ENGINEERING REPORT FOR SANDBAR ESTATES SUBDIVISION:
DRAINAGE STATEMENT AND CALCULATIONS

This area of South Padre Island has no drainage system or governmental body charged with maintaining a drainage system. Park Road No. 100 has no developed roadside ditches in this area because the unpaved area of the 200 ft. wide right-of-way is usually occupied by drifting sand or sand dunes of varying height. The development in this area is governed by Cameron County Beach and Dune Committee (CCB&DC) and the General Land Office (GLO) of the state of Texas. A dune protection permit application was prepared in accordance with the requirements of both governmental entities and was approved by the CCB&DC on July 6, 2016 and by the GLO on June 30, 2016. The permit includes a paving and grading and drainage plan as well as dune protection and mitigation plan which limits the percentage of impervious surface area allowed on the site so that the remaining surface area is able to receive and alleviate direct rainfall and runoff from the limited impervious area by percolation into the underlying sandy beach material. A potential increase in run off rate caused by impervious area will be accommodated by the infiltration rate of the remaining very pervious sand area.

BUILDING OFFICIAL
CAMERON COUNTY, TEXAS

I the undersigned Building Official of the County of Cameron hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the County as to which my approval is required.
Dated the ____ day of ____, 2016

Noe Benavides - Building Official

COMMISSIONERS COURT CERTIFICATE:
COUNTY OF CAMERON:

Approved by the Commissioners Court of Cameron County, Texas at ____ meeting on this ____ day of ____, 2016.

Pete Sepulveda, Jr., CPA - County Judge

STATE OF TEXAS:
COUNTY OF CAMERON:

Approved by the Planning and Zoning Commission of the City of South Padre Island, this ____ day of ____, 2016.

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 ____, 2016 at ____ O'clock ____ M in the Map Records of Cameron County, Texas, Document ____.

STATE OF TEXAS:
COUNTY OF CAMERON:

Known to all men by this Presents, that Paul M. Earnhart, President of Sandbar Properties Inc. owner of a 11.17-Acre Tract of land, being the Eastern portion of a called 77.413-Acres described as "Exhibit A" in a Deed to Sandbar Properties Inc. as recorded in Volume 6561, Page 289, Deed Records, Cameron County, Texas, being out of the Nicolas and Juan Balli Grant, Abstract 260 in Cameron County, Texas, have caused the same to be subdivided as shown hereon, do confirm and adapt this plat of SANDBAR ESTATES LOT 1-16, BLOCK 1 and further dedicate to the public use forever streets, alleys and easements for the purpose shown hereon.

Paul M. Earnhart
President of Sandbar Properties Inc.

Date

STATE OF TEXAS:
COUNTY OF CAMERON:

Before me, the undersigned authority, on this day personally appeared Paul M. Earnhart, President of Sandbar Properties Inc., Known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity stated.
Given under my hand and seal of office this ____ day of ____, 2016.

Notary Public of the State of Texas

STATE OF TEXAS:
COUNTY OF CAMERON:

I, Paul M. Earnhart, President of Sandbar Properties Inc., as owner of 11.17-Acre Tract of Land encompassed within the proposed SANDBAR ESTATES LOT 1-16, BLOCK 1 hereby bind myself to notify all perspective buyers of lots in said subdivision that I will provide all water and sewer services in which I have already provided a financial guarantee to cover the installation of these services and have included the cost of these services in the total cost of the land;

Electricity will be provided by A.E.P. Company and will be made available upon recording of this plat.

Gas services will not be provided for this subdivision.

Paul M. Earnhart
President of Sandbar Properties Inc.

Date

STATE OF TEXAS:
COUNTY OF CAMERON:

Before me, the undersigned authority, on this day personally appeared Paul M. Earnhart, President of Sandbar Properties Inc., Known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity stated.
Given under my hand and seal of office this ____ day of ____, 2016.

Notary Public of the State of Texas

STATE OF TEXAS:
COUNTY OF CAMERON:

This plat of SANDBAR ESTATES, LOTS 1 - 16, BLOCK 1, has been submitted to and considered by the Laguna Madre Water District, Cameron County, Texas and is hereby approved and we certify that potable water and sewer is available to said property that are in compliance with the Texas Water Code Section 16.343, as amended, this ____ day of ____, 2016.

Carlos J. Galvan, Jr. - Laguna Madre Water District

STATE OF TEXAS:
COUNTY OF NUECES:

I, David L. Nesbitt, a Registered Professional Land Surveyor for Coym, Rehmet & Gutierrez Engineering, L.P., have prepared the foregoing map from surveys made on the ground under my direction and that it is true and correct to the best of my knowledge, information and belief; I have been engaged under contract to set all lot and block corners as shown hereon and to complete such operations with due and reasonable diligence consistent with sound professional practice.

Coym, Rehmet & Gutierrez Engineering, L.P.

David L. Nesbitt, R.P.L.S., L.S.L.S.
License No. 5302

Date

COUNTY ENGINEER
CAMERON COUNTY, TEXAS

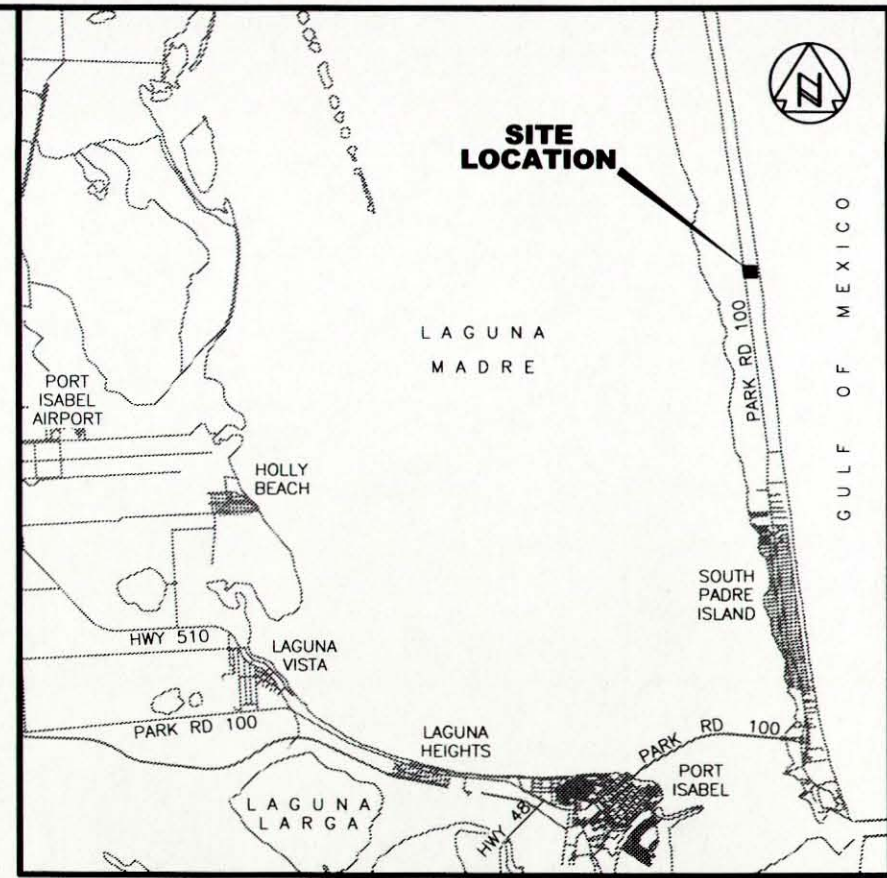
I the undersigned County Engineer of the County of Cameron hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the County as to which my approval is required.
Dated the ____ day of ____, 2016

Paolina Vega, P.E. - County Engineer

TAX CERTIFICATE
COUNTY OF CAMERON:

The undersigned hereby certifies that all of the taxing units represented by the undersigned are currently paid in full for the year ____ for the area inside the boundaries of SANDBAR ESTATES, LOTS 1 - 16, BLOCK 1, this ____ day of ____, 2016.

Tony Yzaguirre, Jr. - Cameron County Tax Assessor-Collector



NOTES:

- BASIS OF BEARING OF THIS SURVEY IS GRID NORTH AS OBSERVED BY GPS. TEXAS SOUTH ZONE 4205, NAD 83 WITH A COMBINED SCALE FACTOR OF 0.999995884.
- PARENTHESIS INDICATE CALLED BEARING AND / OR DISTANCE.
- SET 5/8" STEEL ROD
△ SET CONCRETE MONUMENT WITH BRASS DISK
- THE PLATTED AREA CONTAINS A TOTAL OF 11,173 ACRES OR 486,688 SQUARE FEET.
- NO EASEMENT RESEARCH HAS BEEN PERFORMED BY COYM, REHMET, AND GUTIERREZ ENGINEERING, L.P.
- BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONES V13 (EL. 10) & V10 (EL. 11). AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION), BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP OF CAMERON COUNTY, TEXAS, PANEL NO. 480101 0200 D, EFFECTIVE DATE: MAY 4, 1992.
- MINIMUM ELEVATION OF LOWEST STRUCTURAL MEMBER OF THE FINISHED FLOOR MUST BE AT ELEVATION 10' OR ABOVE.
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- THIS PROPERTY LIES NORTH OF THE CITY LIMITS OF THE CITY OF SOUTH PADRE ISLAND. THIS PROPERTY ALSO LIES WITH THE ETJ BOUNDARY OF THE CITY OF SOUTH PADRE ISLAND.
- THE RECEIVING WATERS FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE GULF OF MEXICO, SEGMENT 2501. THE TCEQ HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE GULF OF MEXICO AS "EXCEPTIONAL" AND CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATION USE".
- FOR INFORMATION PURPOSES ONLY, THE CONTOURS SHOWN HEREIN ARE FROM EXISTING LIDAR DATA PERFORMED BY THE NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION (NOAA), TAKEN IN 2009.
- UTILITIES SHOWN HEREIN ARE FROM INFORMATION OF RECORD AND HAVE NOT BEEN FIELD VERIFIED. COORDINATION WITH ALL UTILITY COMPANIES IS REQUIRED PRIOR TO DEVELOPMENT.
- LOT 16, BLOCK 1 HAS A 6' WIDE PRIVATE PEDESTRIAN ACCESS WHICH IS RESERVED FOR INGRESS / EGRESS BETWEEN PARK ROAD 100 AND BEACH ACCESS FOR THE TENANTS OF SANDBAR ESTATES, LOTS 1 - 16, BLOCK 1 AND IS NOT INTENDED FOR PUBLIC USE.
- SETBACK RESTRICTIONS: FRONT = 25', AND SIDE = 5'.
- THIS PROPERTY IS ZONED "RESORT G" UNDER PADRE ISLAND ZONING ORDINANCE.
- LOCAL GOVERNMENT CODE §232.032, STATES THAT THE SUBDIVIDER SHALL FURNISH ADEQUATE DRAINAGE MEETING STANDARD ENGINEERING PRACTICE. IT IS ALSO UNDERSTOOD THAT THE RESPONSIBILITY AND LIABILITY FOR THE ADEQUACY OF THE DRAINAGE DESIGN SHALL REMAIN WITH THE PROFESSIONAL DESIGN ENGINEER SEALING THE DOCUMENTS.
- FLOOD INSURANCE MAY BE REQUIRED.
- PROPOSED IMPROVEMENTS MUST COMPLY WITH THE LATEST CAMERON COUNTY FLOODPLAIN REGULATIONS.
- CONSTRUCTION IN THE SITE WOULD BE IN CONTROL BY RESTRICTIVE COVENANTS TO BE RECORDED IN OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS.

STATE OF TEXAS § 11.17 ACRES
COUNTY OF CAMERON §

FIELD NOTES to describe the boundary of a 11.17-acre tract of land, being the eastern portion of a called 77.413-acres described as "Exhibit A" in a deed to Sandbar Properties Inc. as recorded in Volume 6561, Page 289, Deed Records, Cameron County, Texas, being out of the Nicolas and Juan Balli Grant, Abstract 260 in Cameron County, Texas, said tract being more particularly described by metes and bounds as follows;

COMMENCING at a Magnail found in the centerline of State Park Road 100 (200' r.o.w.), the north line of a called 25.31-acre tract described in a deed to SPI-1 Properties, Ltd. as recorded in Volume 8060, Page 204, Official Records, Cameron County, Texas, the south line of said 77.413-acre tract and the south line of this tract from which an NGS Station named "THM SPICC 1" bears S-04°49'-58"-E, 15,365.34', said NGS Station having coordinates of N 16579075.51, E 1419647.38, TX S NAD 83:

THENCE, N-89°30'-30"-E, along the north line of said 25.31-acre tract, a distance of 100.60' to a concrete monument with brass disk set on the east right-of-way of said road for the POINT OF BEGINNING and the southwest corner of this tract;

THENCE, N-06°46'-04"-W, along the east right-of-way of said road, a distance of 861.13' to a concrete monument with brass disk set in the south line of a called 729.82-acre tract of land described in a deed to Cameron Acquisitions, LLC as recorded in Volume 14850, Page 300, Official Records, Cameron County, Texas and the northwest corner of this tract;

THENCE, N-89°30'-30"-E, along the south line of said 729.82-acre tract at 300.00' pass a concrete monument with brass disk set for a reference marker online, in all a distance of 574.41' to a point in the Mean Higher High Water Line being the west line of the Gulf of Mexico State Land Submerged Tract 1195 for the southeast corner of said 729.82-acre tract and the northeast corner of this tract;

THENCE, S-08°27'-17"-E, along said shoreline, a distance of 306.02' to a bend point in the east line of this tract;

THENCE, S-03°28'-30"-E, continuing along said shoreline, a distance of 284.52' to a bend point in the east line of this tract;

THENCE, S-00°31'-56"-W, continuing along said shoreline, a distance of 268.80' to a point in the north line of said 25.31-acre tract for the southeast corner of this tract;

THENCE, S-89°30'-30"-W, at 232.67' pass a concrete monument with brass disk set for a reference marker online, in all a distance of 532.67' to the POINT OF BEGINNING and containing 11.17-acres of land, more or less.

FINAL PLAT OF SANDBAR ESTATES LOTS 1 - 16, BLOCK 1

SHOWING THE BOUNDARY OF AN 11.173-ACRE TRACT OF LAND OUT OF A CALLED 77.413-ACRES DESCRIBED AS "EXHIBIT A" IN A DEED TO SANDBAR PROPERTIES INC. AS RECORDED IN VOLUME 6561, PAGE 289, DEED RECORDS, CAMERON COUNTY, TEXAS, BEING OUT OF THE NICOLAS & JUAN JOSE BALLI GRANT, ABSTRACT 260 IN CAMERON COUNTY, TEXAS.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: November 17, 2016

ITEM: 7 & 8

TO: The Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

ITEM DESCRIPTION:

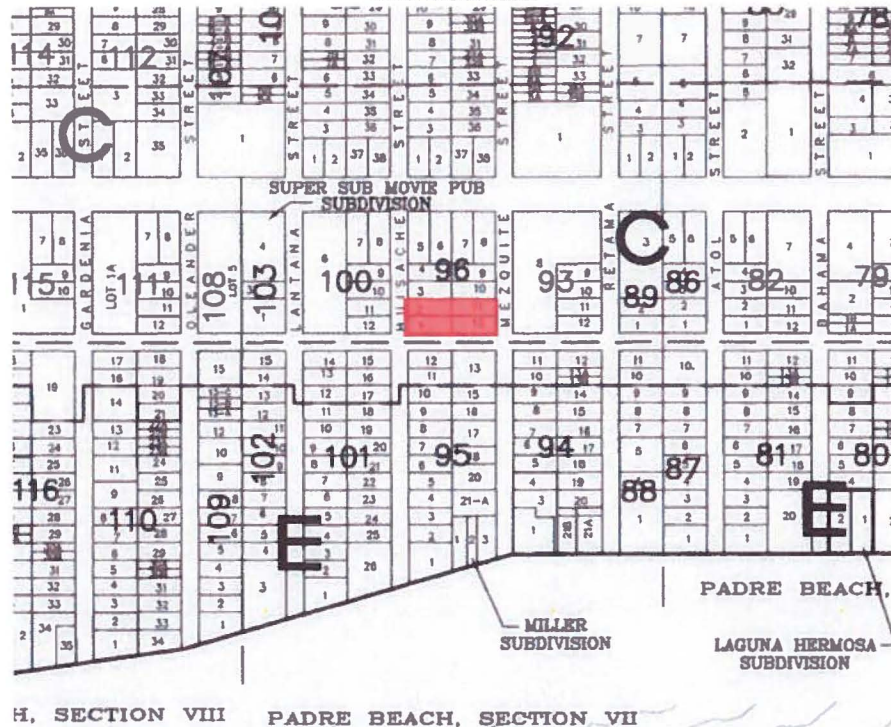
Discussion and action on rezoning Lots 1, 2, 11 and 12 Block 96, Padre Beach Section VII from **Neighborhood Transition Character Zone (NT)** to **Neighborhood Crossing (NC)** or District **"C"**.

DISCUSSION:

The Issue

1. Currently, retail sale services are not allowed in Neighborhood Transition Character Zone (NT);
2. Ace Hardware (a retail service) intends to move from the current location at **LOT 9 BLK 28 PADRE BEACH SUBDIVISION SECTION III** to **LOTS 1, 2, & 3 BLOCK 96, PADRE BEACH SECTION VII**, where Lots 1 & 2 are within NT zone; and
3. The owner (Columbia Padre Boulevard LLC) also wants to request **LOTS 11 & 12 BLOCK 96, PADRE BEACH SECTION VII** (where Lots 11 & 12 are within NT zone) be rezoned to accommodate retail services.

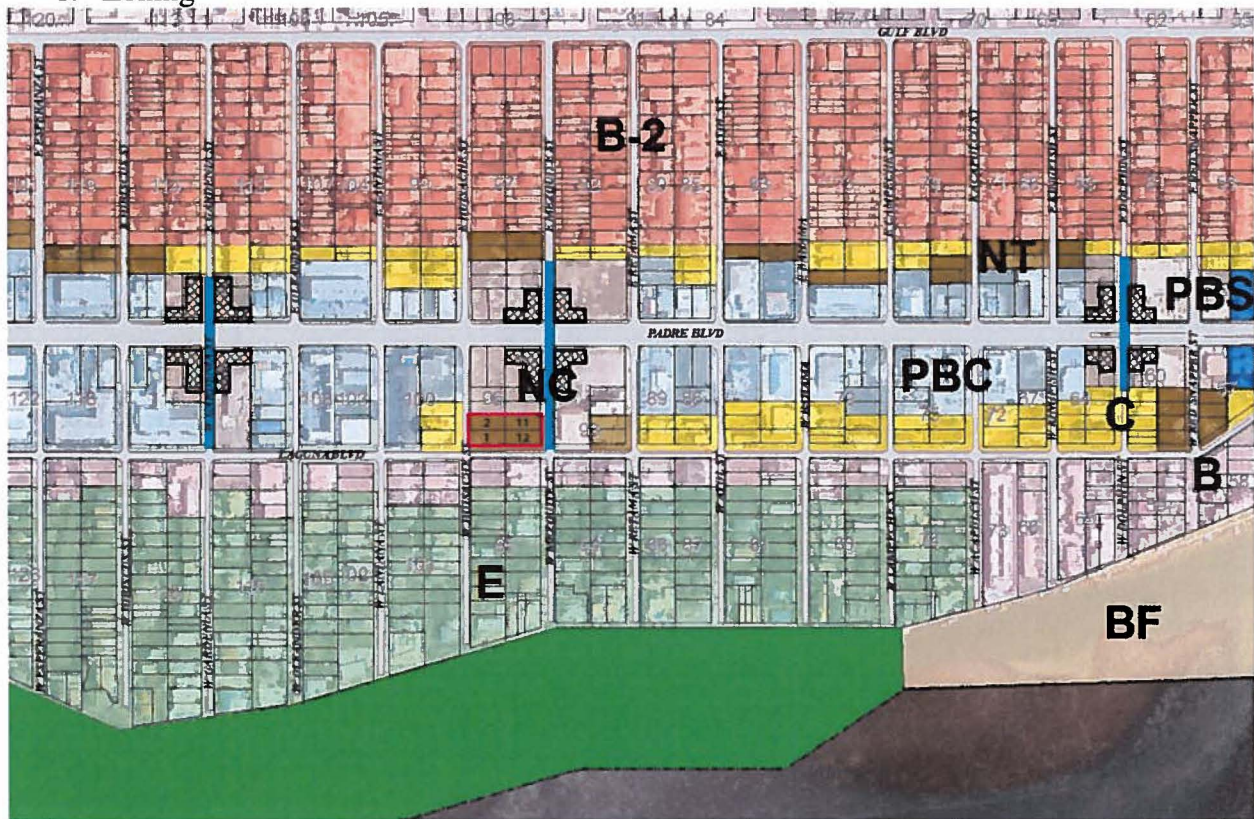
The Location



PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM

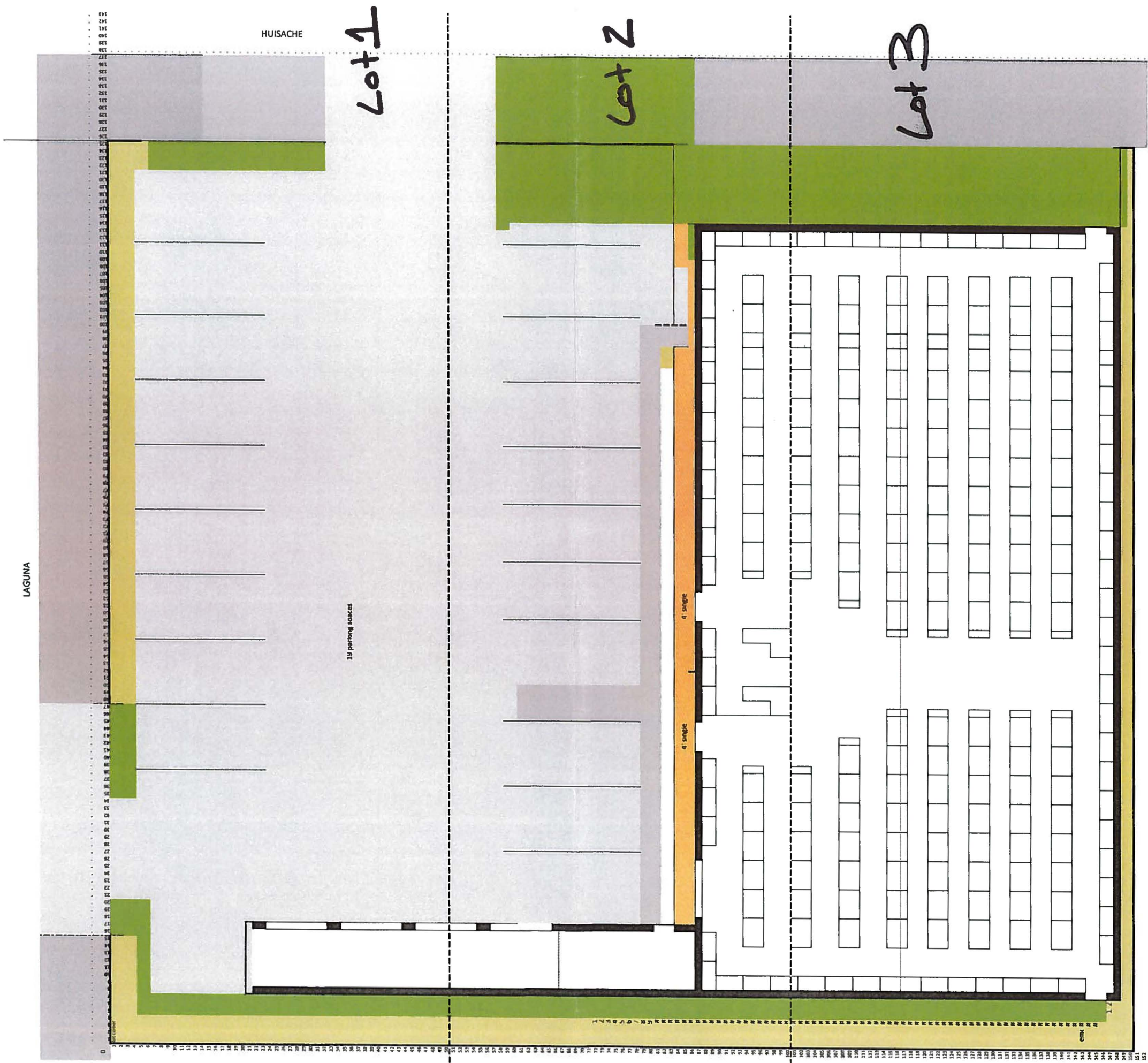
Compatibility

1. Zoning



2. Current Uses





**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: November 17, 2016

ITEM: 9

TO: Planning and Zoning Commission

FROM: Sungman Kim, Director of Development Services

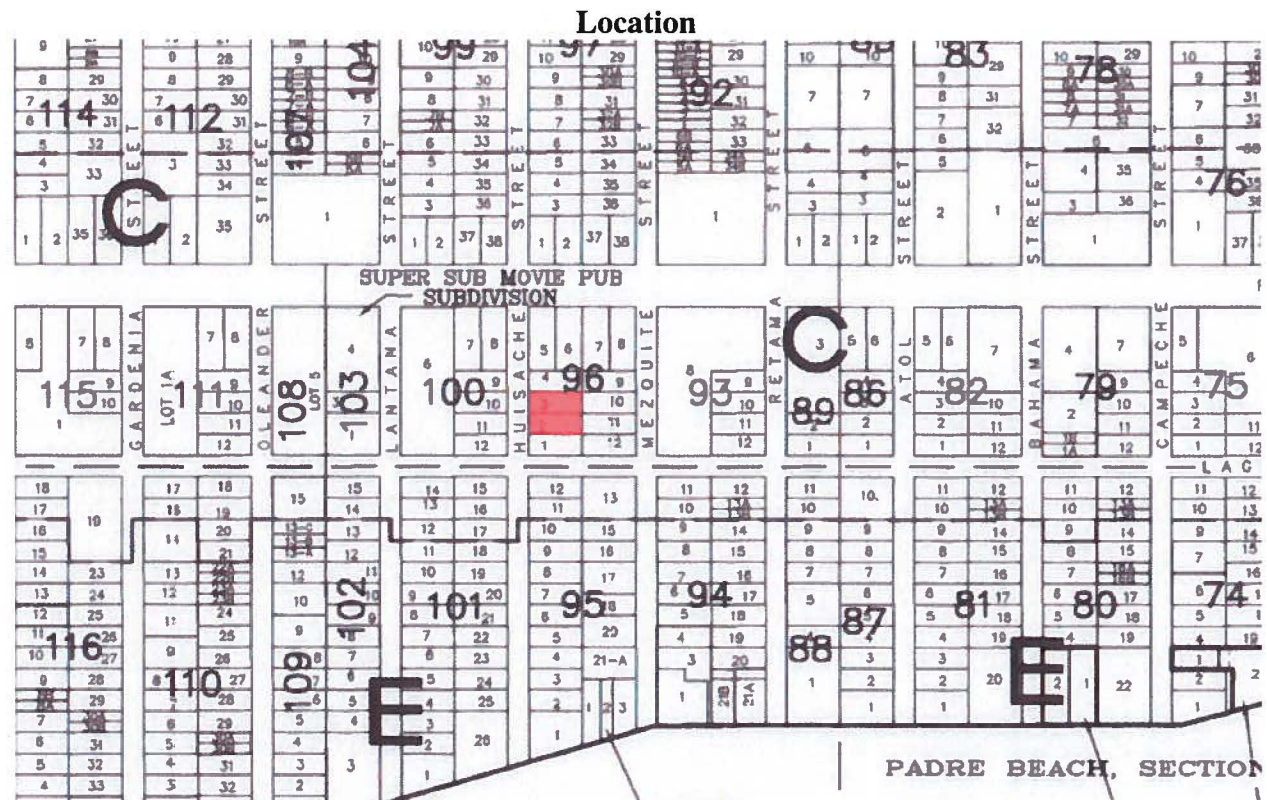
ITEM DESCRIPTION:

Discussion and action regarding the proposed replat of "Lots 2 and 3, Block 96, Padre Beach Subdivision, Section VII", proposing to merge them into "Lot 2A".

DISCUSSION:

The Ownership

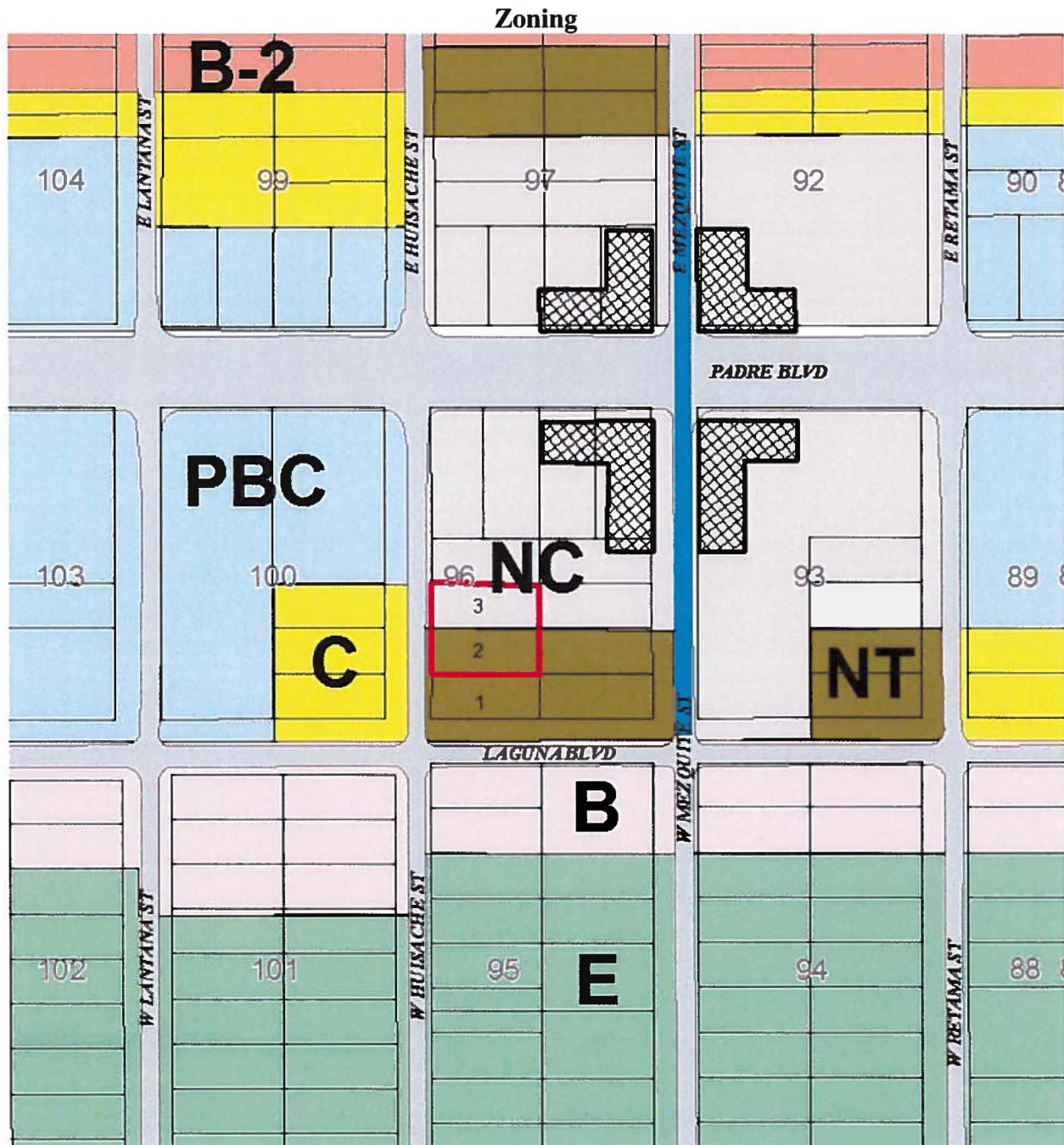
1. The entire lots belong to COLUMBIA PADRE BOULEVARD, LLC, according to the Warranty Deed dated April 26, 2006 and Fidelity National Title Insurance Company dated September 9, 2016 (Countersigned by Rio Grande Valley Abstract Co., Inc.).



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

The Requirements

1. The lot 2 has been zoned for “NT (Neighborhood Transition)” District allowing offices, residential buildings and parking lots, while lot 3 has been zoned for “NC (Neighborhood Crossing)” District that covers a range of commercial and residential uses. Rezoning efforts to change the NT into a NC are currently ongoing.



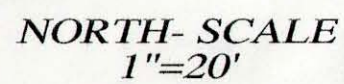
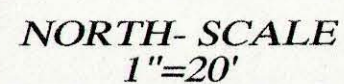
**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Aerial Photo



2. 6.1.1 of Padre Boulevard & Entertainment District Code regulates the minimum lot size:
 - (i) Area of Lot: 2,500 square feet
 - (ii) Width of Lot: 25 feet
 - (iii) Depth of Lot: 100 feet

3. Sidewalk Guarantee
100' sidewalk along Huisache Street should be provided, and the applicant submitted a check (\$4,000).



COLUMBIA PADRE BOULEVARD, LLC. _____ DATE _____
 REPRESENTATIVE _____
 =====
 STATE OF TEXAS COUNTY OF CAMERON _____
 =====
 BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, REPRESENTATIVE FOR
 COLUMBIA PADRE BOULEVARD, LLC., A TEXAS LIMITED LIABILITY COMPANY COLUMBIA PADRE BOULEVARD, LLC., KNOWN TO ME TO
 BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR
 THE PURPOSES AND CONSIDERATIONS THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF
 20____

NOTARY PUBLIC _____ DATE _____
CAMEROON, COUNTRY

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 "LOT 2A, BLOCK 96 RE-PLAT" DEPICTED HEREON.

APPROVED: _____
TONY YZAGUIRRE, JR
ASSESSOR AND COLLECTOR
OF TAXES, CAMERON COUNTY

DATE

STATE OF TEXAS
COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ CLERK OF THE COUNTY, CERTIFY THAT THE PLAT BEARING THIS CERTIFICATE
WAS FILED AND DULY RECORDED ON THE _____ DAY OF _____, 201____ AT O'CLOCK ____M IN THE
MAP RECORDS OF CAMERON, TEXAS, DOCUMENT No. _____

BY: _____ DEPUTY

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

DATE

STATE OF TEXAS
COUNTY OF CAMERON

I, ALFREDO G. HERNANDEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY STATE THAT THIS SURVEY PLAT WAS PREPARED FROM RESEARCH INFORMATION, AND FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND, UNDER MY SUPERVISION, AND THAT PROPER SURVEYAL CONSIDERATION HAS BEEN GIVEN TO THIS PLAT. ALL DISTANCES ARE IN FEET.

STATE OF TEXAS

ALFREDO HERNANDEZ, R.E.S.
REG. No. 6046

11/9/16

DATE

6046
PROFESSIONAL
LAND

GENERAL NOTES

1. THERE ARE NO ENCROACHMENTS OR PROTRUSIONS UNLESS OTHERWISE SHOWN.
2. THIS TRACT LIES IN FLOOD ZONE "A" (ELEV. 8), AS PER THE FLOOD INSURANCE RATE MAP OF COMMUNITY NUMBER 480115 0001-D, EFFECTIVE MARCH 09, 1999.
3. THE BEARINGS FOR THIS SURVEY ARE BASED OFF "LOT TWO (2) AND LOT (3), BLOCK 96, PADRE BEACH SECTION VII, IN THE TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS. ACCORDING TO MAP RECORDED IN VOLUME 15, PAGE 21, CAMERON COUNTY, MAP RECORDS.
4. ALL PROPERTY CORNERS ARE 1/2" IRON ROD WITH CAP SET UNLESS OTHERWISE NOTED.
5. BENCH MARK REFERENCE: ELEVATIONS WERE BASED OFF N.G.S. BENCHMARK AB-1248, LOCATED 3.0 KM (1.9 MI) NORTH FROM SOUTH PADRE ISLAND, 3.0 KM (1.9 MI) NORTH ALONG STATE PARK ROAD 100 NORTH FROM THE JUNCTION OF STATE PARK ROAD 100 SOUTH AND STATE PARK ROAD 100 WEST TO 0.940 100 WEST IN SOUTH PADRE ISLAND, AT A LARGE POWER POLE NUMBER 36 THAT IS ABOUT HALFWAY BETWEEN HUISACHE STREET AND MESQUITE STREET, 15.2 METERS (50.0 FT.) WEST OF THE CENTURLINE OF THE HIGHWAY (PADRE BOULEVARD), 44.3 METERS (147.0 FT) NORTH OF THE CENTER OS MESQUITE STREET, 39.1 METERS (128 FT) SOUTH OF A LIGHT POLE ON THE SOUTHWEST SIDE OF HUISACHE STREET, 45.4 METERS (149.0 FT) EAST OF A POWER POLE WITH GUIDE CABLE AT THE DEAD END OF A POWER LINE, AND 0.9 METR (3.0 FT) SOUTH OF THE LARGE POWER NUMBER 36. THE MARK IS 0.3 METERS N FROM THE VISION POST. THE MARK IS ABOVE LEVEL WITH HIGHWAY.
6. THIS TRACT IS ON TWO (2) DIFFERENT DISTRICTS, THEY ARE DISTRICT "NT AND DISTRICT "NC", AS DESCRIBED ON CITY OF SOUTH PADRE ISLAND CODE ORDINANCES
7. LOT OWNERS WILL OBTAIN A BUILDING PERMIT FROM THE TOWN OF SOUTH PADRE ISLAND BEFORE BEGINNING COMMERCIAL CONSTRUCTION.
8. ALL GARBAGE AND TRASH SHALL BE PLACED IN SUITABLE CONTAINERS AND DISPOSAL OF THE SAME SHALL BE IN A SANITARY MANNER BY A QUALIFIED SOLID WASTE DISPOSAL COMPANY. EACH LOT OWNER SHALL MAINTAIN A CONTRACT AND ENSURE PAYMENTS ARE CURRENT WITH A SOLID WASTE DISPOSAL COMPANY ALL TIMES.
9. UTILITY PROVIDERS OF WATER AND SEWER: LAGUNA MADR WATER DISTRICT ELECTRICITY, TEXAS PUBLIC UTILITIES COMMISSION ELECTRICITY PROVIDER: AMERICAN ELECTRIC POWER.
10. THE LOT OWNER SHALL BE RESPONSIBLE FOR MAKING PROPER SEWER PAV. THIS INCLUDES THE INSTALLATION OF CLEAN-OUT PARALLEL LATERAL AT EACH PROPERTY LINE. THE CONTRACTOR SHALL NOTIFY THE LAGUNA MADR WATER DISTRICT A MINIMUM OF 48 HOUR PRIOR TO COMMENCING WORK.
11. PROVIDE 100 FEET LONG SIDEWALK ALONG HUISACHE STREET AND LOT 2A. SIDEWALK SHALL BE 1.0 FEET AWAY FROM PROPERTY LINE AND 8.0 FEET WIDE FOR THE ENTIRE LENGTH
12. THIS SURVEY WAS MADE WITH THE BENEFIT OF A TITLE COMMITMENT FILE G.F. NO. 202084966.

STATE OF TEXAS
COUNTY OF CAMERON

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

APPROVED: _____
 PLANNING AND ZONING
 ACTING CHAIR

PUBLIC WORKS DIRECTOR

OWNERS TRACT "2A":
COLUMBIA PADRE BOULEVARD LLC.
7855 GROSS POINT RD. UNIT "F"
SKOKIE, IL. 60077

ENGINEER/SURVEYOR:
AGH ENGINEERING AND SURVEYING
P.O. BOX 4180 BROWNSVILLE, TEXAS 77826
PHONE: (956) 574-8300
FAX: (956) 574-8305

GF No. 202084966

● FND 1/2" IRON ROD
UNLESS NOTED
OTHERWISE



METES AND BOUNDS LOT "2A"

A 0.286 ACRE TRACT OF LAND MORE OR LESS COMPRISED OF LOTS 2 (TWO), AND 3 (THREE), BLOCK 96, PADRE BEACH SECTION VII, TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, CAMERON COUNTY, MAP RECORDS, BEING THE SAME TRACT DESCRIBED ON ASSUMPTION WARRANTY DEED, VOLUME 12532, PAGE 68, CAMERON COUNTY, DEED RECORDS. SAID 0.286 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING AT A FOUND $\frac{1}{2}$ " IRON ROD ON THE NORTHWEST CORNER OF LOT 1, BLOCK 96, PADRE BEACH SECTION VII, TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, AS RECORDED IN VOLUME 15, PAGE 21, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, AND THE SOUTHEAST RIGHT-OF-WAY INTERSECTIONS OF HUISACHE STREET (50.0 FT. R.O.W.) AND LAGUNA BOULEVARD (50.0 FT. R.O.W.).

THENCE, ALONG THE NORTH LINE OF SAID BLOCK 96, AND THE SOUTH RIGHT-OF-WAY LINE OF HUISACHE STREET (50.0' R.O.W), AND FURTHERMORE THE NORTH LINE OF LOT 1, NORTH 83 DEGREE, 56 SECONDS, 00 MINUTES EAST A DISTANCE OF 50.0 FEET, TO A SET CONCRETE MONUMENT AND **POINT ON BEGINNING** TO THE TRACT HEREIN DESCRIBED:

THENCE, NORTH 83 DEGREE 56 MINUTES 00 SECONDS EAST, AT 50.0 FEET PASSING A 1/2" IRON ROD WITH CADCON CAP, FOR THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 96, AND CONTINUING AT 50.0 FEET , FOR A TOTAL DISTANCE OF 100.0 FEET, TO A SET CONCRETE MONUMENT FOR THE NORTHEAST CORNER OF LOT 3, BLOCK 96, AND THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED.

THENCE, ALONG THE EAST LINE OF SAID LOT 3, AND THE EAST LINE OF THIS TRACT, SOUTH 0 DEGREES 00 MINUTES 00 SECONDS EAST AT DISTANCE OF 125.0 FEET TO A SET CONCRETE MONUMENT AND SOUTHEAST CORNER OF SAID LOT 3, AND THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED.

THENCE, SOUTH 83 DEGREE, 56 SECONDS, 00 MINUTES WEST, AT A DISTANCE OF 50.0 FEET, PASSING A FOUND 1/2" IRON ROD, FOR THE SOUTHEAST CORNER OF SAID LOT 2 BLOCK 96, AND CONTINUING AT 50.0 FEET, FOR THE SOUTHEAST CORNER OF LOT 2, FOR A TOTAL DISTANCE OF 100.0 FEET TO A SET CONCRETE MONUMENT FOR THE SOUTHWEST CORNER OF LOT 2, BLOCK 96, AND THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED.

THENCE, ALONG THE WEST LINE OF LOT 2, BLOCK 96, AND THE WEST LINE OF THE TRACT HEREIN DESCRIBED, NORTH 06 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 125.0 FEET TO A SET CONCRETE MONUMENT, AND THE POINT OF BEGINNING OF THIS TRACT, CONTAINING 0.286 ACRES OF LAND MORE OR LESS.

LOT 2A
BLOCK 96
BEING A RE-PLAT OF

A 0.286 ACRE TRACT OF LAND MORE OR LESS COMPRISED OF LOT 2 (TWO), AND 3 (THREE), BLOCK 96, PADRE BEACH SECTION VII, TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS. ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 21, CAMERON COUNTY, MAP RECORDS. BEING THE SAME TRACT DESCRIBED ON ASSUMPTION WARRANTY DEED, VOLUME 12532, PAGE 68, CAMERON COUNTY, DEED RECORDS

OCTOBER, 2016 SCALE 1"=20' AGH NO. 2016-0202

AGH ENGINEERING
& SURVEYING

P.O. BOX 4180 Brownsville, Texas 78523-4180
Tel. (956) 574-8300

6305 Paredes Line Road 78526
FAX. (956) 574-8305

TBPE FIRM No. F-5197
TBLS FIRM No. 100840-00

SHEET
OF 1
1

Drawn By: Edgardo Garcia