

**NOTICE OF SPECIAL MEETING
CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE**

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 SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A SPECIAL MEETING ON:

FRIDAY, DECEMBER 2, 2016
1:00 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

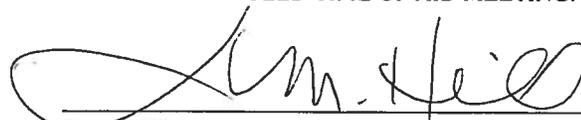
1. Call to Order.
2. Pledge of Allegiance.
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to Task Force relating to agenda or non-agenda items. Speakers are required to address the Task Force at the podium and give their name before addressing their concerns. [Note: State law will not permit the Shoreline Task Force 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 Shoreline Task Force meeting]*
4. Approval of the November 14, 2016 regular meeting minutes.
5. Discussion & action to approve:
 - a. Excused absence for Member Rob Nixon from 11-14-16 regular meeting.
6. Discussion and possible action, upon second reading and after GLO comments, to recommend City Council issues a Beach-Dune Permit for walkover construction at 1700 Gulf Blvd. (Hill)
7. Discussion and Possible action on submission of Beach Dune Permit for the retaining wall construction for the Marriot Property, 6700 Padre Blvd from the City to the GLO. (Hill)
8. Adjournment.

DATED THIS THE 28TH DAY OF NOVEMBER 2016


Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF SPECIAL MEETING OF THE SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **NOVEMBER 28, 2016** AT/OR BEFORE **4:00 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF AID 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) 761-1025.

**MINUTES
CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE**

MONDAY, NOVEMBER 14, 2016

I. Call to Order.

The Shoreline Task Force of the City of South Padre Island, Texas held a regular meeting on Monday, November 14, 2016, at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island Texas. Chairman Troy Giles called the meeting to order at 3:00 p.m. A quorum was present: Task Force Member Virginia Guillot, Norma Trevino, Charles Brommer, Neil Rasmussen, and Ron Pitcock. Task Force Member with an excused absence was Robert Nixon.

City staff members present were: City Manager Susan Guthrie, Assistant City Manager Darla Jones, Shoreline Management Director Brandon Hill, and Administrative Assistant Marta Martinez.

II. Pledge of Allegiance.

Chairman Giles led the Pledge of Allegiance.

III. Public Comments and Announcements

Public comments were given at this time.

IV. Approval of the October 10, 2016 regular meeting minutes.

Task Force Member Mr. Rasmussen made a motion, seconded by Ms. Trevino to approve as submitted. Motion carried unanimously.

V. Discussion & action to approve:

- a. Excused absence for Member Rob Nixon from 10-10-16 regular meeting.**
- b. Excused absence for Member Ron Pitcock from the 10-10-16 regular meeting.**
- c. Excused absence for Member Charles Brommer from the 10-10-16 regular meeting.**

Task Force Member Ms. Guillot made a motion, second by Mr. Rasmussen to approve excused absences. Motion carried unanimously.

VI. Discussion and overview of 2016 National American Shore and Beach Preservation Association Meeting held in New Jersey and 2016 Coastal Science and Engineering Collaboration Meeting held in South Padre Island Texas. (Hill)

Presentation given by Shoreline Management Director Brandon Hill. No action was taken.

VII. Official Introduction of Maureen Kinlan, UTRGV intern and her role in the Shoreline Management Department. (Hill)

Presentation given by Maureen Kinlan, UTRGV intern. No action was taken.

VIII. Discussion and Possible action to recommend City Council to allow city staff to work with the engineering firm Hanson/Naismith moving forward in all shoreline infrastructure and project capacities.

Motion made by Norma Trevino, second by Ron Pitcock to recommend city staff to work with the engineering firm Hanson/Naismith. Motion carried unanimously

IX. Discussion and Possible action to recommend City Council approve PARC Work Order for the Gulf of Mexico Alliance: Coastal Community Small Grant Application.

Motion made by Ron Pitcock, second by Charles Brommer to recommend approval. Motion carried unanimously.

X. Discussion and possible action, upon second reading and after GLO comments, to recommend City Council issues a Beach-Dune permit for the mitigation efforts at 4704 Gulf Blvd. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to recommend approval. Motion carried unanimously.

XI. Discussion and Possible action, upon second reading and after GLO comments, to recommend City Council issues a Beach-Dune Permit for walkway improvements at 6200 Padre Gulf Boulevard. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to recommend approval. Motion carried unanimously.

XII. Discussion and Possible action, upon second reading and after GLO comments, to recommend City Council issues a Beach-Dune Permit for walkover construction at 4300 Padre Gulf Boulevard. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to recommend approval. Motion carried unanimously.

XIII. Discussion and possible action to recommend a plan to review Chapter 22, the Beach User Fee plan, Erosion Response Plan, and Beach Access Plan. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to begin the planning process and bring back for review. Motion carried unanimously.

XIV. Discussion and action to recommend the redesign of Beach-Dune Walkovers Seaside, Ocean and Moonlight. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to recommend the redesign of walkovers. Motion carried unanimously.

XV Discussion and possible action on municipal review of constriction projects and other permitted activities within protected dune area. (Hill)

Motion made by Ron Pitcock, second by Charles Brommer to recommend the redesign of walkovers. Motion carried unanimously.

XVI. Adjournment.

There being no further business, Mr. Giles adjourned the meeting at 4:58 p.m.

Marta Martinez, Secretary

Troy Giles, Chairman

**CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE
AGENDA REQUEST FORM**

MEETING DATE: November 28, 2016

NAME & TITLE: Troy Giles, SLTF Chairman

ITEM

Discussion & action to approve:

- a. Excused absence for Member Rob Nixon from 11-14-16 regular meeting.

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal: YES: _____ NO: _____
Approved by Legal: YES: _____ NO: _____

Comments:

RECOMMENDATIONS/COMMENTS

**CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE
AGENDA REQUEST FORM**

MEETING DATE: November 28, 2016

NAME & TITLE: Brandon Hill, Shoreline Management Director

ITEM

Discussion and possible action, upon second reading and after GLO comments, to recommend City Council issues a Beach-Dune Permit for walkover construction at 1700 Gulf Blvd. (Hill)

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal: YES: _____ NO: _____
Approved by Legal: YES: _____ NO: _____

Comments:

RECOMMENDATIONS/COMMENTS



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

November 14, 2016

Via Electronic Mail

Brandon Hill
Shoreline Management Department
City of South Padre Island
P.O. Box 3410
South Padre Island, Texas 78597-3410

Beachfront Construction Certificate & Dune Protection Permit in the City of South Padre Island

Site Address: 1700 Gulf Boulevard, South Padre Island
Legal Description: Marisol Apts Cond, Lots 1-4, Block 1, Sunny Isle Subdivision
Lot Applicant: Jamie Ortiz (Ortiz Construction)
GLO ID No.: BDSPI-16-0325

Dear Mr. Hill:

The General Land Office has reviewed the application for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes to construct a 5-ft wide by 300-ft long dune walkover in an existing beach access pathway. An existing wooden plank walkway and concrete stairs will also be removed. The applicant will mitigate for 105 square feet of adverse effects to dune vegetation. According to the Bureau of Economic Geology, the proposed construction is located in an area that is accreting.

Based on the materials forwarded to our office for review, we have the following comments:

- The applicant provided written assurance to adhere to the mitigation plan suggested by the City of South Padre Island. The City must ensure that the applicant follows exactly the mitigation plan submitted in the application materials.
- The City shall provide written notification to the GLO after determining that the mitigation is complete. The GLO may conduct a field inspection to verify compliance.¹
- The property owner identified in the permit application is not consistent with the Cameron County Central Appraisal District (CAD) records. The City must ensure the legal owner of the property has authorized the proposed construction prior to issuing the beachfront construction certificate and dune protection permit.

¹ 31 Tex. Admin. Code § 15.4(g)(4).

- The applicant must first avoid and then mitigate for any adverse effects to dunes or dune vegetation.²
- Construction activities must not impact the public's ability to access or use the beach.
- The City should require the applicant to restrict the seaward terminus of the walkway to the most landward point of the public beach³ and should ensure that the walkover will not interfere with or otherwise restrict public use of the beach at normal high tides.⁴
- The deck of the walkway must be of sufficient elevation to allow for the growth of dune vegetation and the migration of dunes to the greatest extent practicable.⁵
- The walkway height should be at least one to one and a half times its width (three feet minimum) to allow sunlight to reach vegetation underneath.
- Construction of the proposed dune walkover should conform to the GLO's guidelines provided in the Dune Protection and Improvement Manual for the Texas Gulf Coast, and can be found on the GLO website at: <http://www.glo.texas.gov/coast/coastal-management/forms/files/dune-protection-manual-gpb.pdf>

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

Sincerely,



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

² 31 TAC §15.4(f)(3).

³ 31 TAC §15.7(g)(1).

⁴ 31 TAC §15.7(g)(2).

⁵ 31 TAC §15.7(g)(3).

MEMORANDUM

TO: Shoreline Task Force
Natalie Bell, General Land Office

FROM: Brandon N. Hill, Shoreline Management Department Project and Program Manager

DATE: September 19, 2016

RE: Preliminary determination on the impact of the proposed beach and dune walkover at Marisol Apartments 1700 Gulf Blvd, South Padre Island, TX 78597

The enclosed application materials present plans for a beach and dune walkover extending from the retaining wall of Marisol Apartments. The preliminary determination of the Shoreline Management Department is that the proposed activity will have minimal impact on dune vegetation, drainage and water flow. The walkover will follow the footprint an existing foot path and allow for nominal disruption to be inflicted on the adjacent dunes. Any damages that are incurred will be mitigated as described in this application.

With consideration given to conformance with TAC regulations our preliminary determination is that:

1. The proposed activity will not reduce the size of the public beach. [TAC 15.5 (b)(1)]
2. The proposed activity does not appear to involve construction upon the public beach. [TAC 15.5 (c)(1)]
3. The proposed activity will not encroach upon the public beach. [TAC 15.5 (c)(1)]
4. The proposed activity will not close any existing public beach accesses within the area, nor will the construction close or prevent the use of any existing public beach parking spaces. [TAC 15.5 (d)(1)]

With consideration given to the City's *Dune Protection and Beach Renourishment and Access Plan* [B&D Ord. Section 22-10]:

1. The proposed activity will not result in the potential for increased flood damage to the subject property or adjacent properties.
2. The proposed activity will not result in run-off or drainage patterns that aggravate erosion on and off the site.
3. The proposed activity will cause no changes to the existing dune hydrology east of the Historic Building Line.
4. The proposed activity will result in minimal adverse effects on dune vegetation. These effects will be mitigated through the actions outlined in the attached mitigation plan.
5. The proposed activity will not significantly increase the potential for washover or blowouts.

Brandon N. Hill

Project Description

The proposed project will be a standard beach and dune walkover consistent with both city ordinances and the GLO's Coastal Dunes Manual. It will be a 300 foot long five foot wide raised wooden plank walkway leading from the properties seawall onto the beach. The preliminary determination of the Shoreline Management Department is that the proposed activity will have minimal impact on dune vegetation, drainage and water flow. The walkover will follow the footprint an existing foot path and allow for nominal disruption to be inflicted on the adjacent dunes. Any damages that are incurred will be mitigated one to one.

Dune Mitigation Plan
Marisol Apartments
1700 Gulf Blvd
South Padre Island, TX

Impacts to Dune System

The construction of the beach dune walkover will adhere to the guidelines specified in the Coastal Dunes Protection and Improvement Manual for the Texas Gulf Coast. Only hand tools will be employed for the placement of pilings. The beach dune walkover will measure five feet wide and extend 300 feet from the property's retaining wall. The existing non-elevated plank walkway and concrete stairs will be removed from the current foot path. The new construction will take place along this foot path as to minimize the impact on sediment and plant life. The included map shows the proposed footprint of the new walkover and the existing cleared foot path. 105 ft² of vegetation impact is projected along this path. Due to the utilization of the existing paths footprint the impact to the adjacent dune height should be minimal. Any sand that is removed including that dug up in placing pilings will be used to fill the Potential Planting Locations for Mitigation as indicated on the attached map.

Proposed Mitigation

In order to offset the displacement of native dune vegetation by the footprint and construction of the beach dune walkover, the city proposes the property owners place removed culms along either side of the walkover. In particular the areas at the entrance to the public beach where the existing footpath has begun to grow wider than five feet. The culms will be placed at a density of two culms per square foot, placed on center. All displaced sand material will also be added to the Potential Planting Locations for Mitigation as indicated on the attached map. This will serve to reinforce the adjacent dunes and build up the toe of the dune field in front of the property.

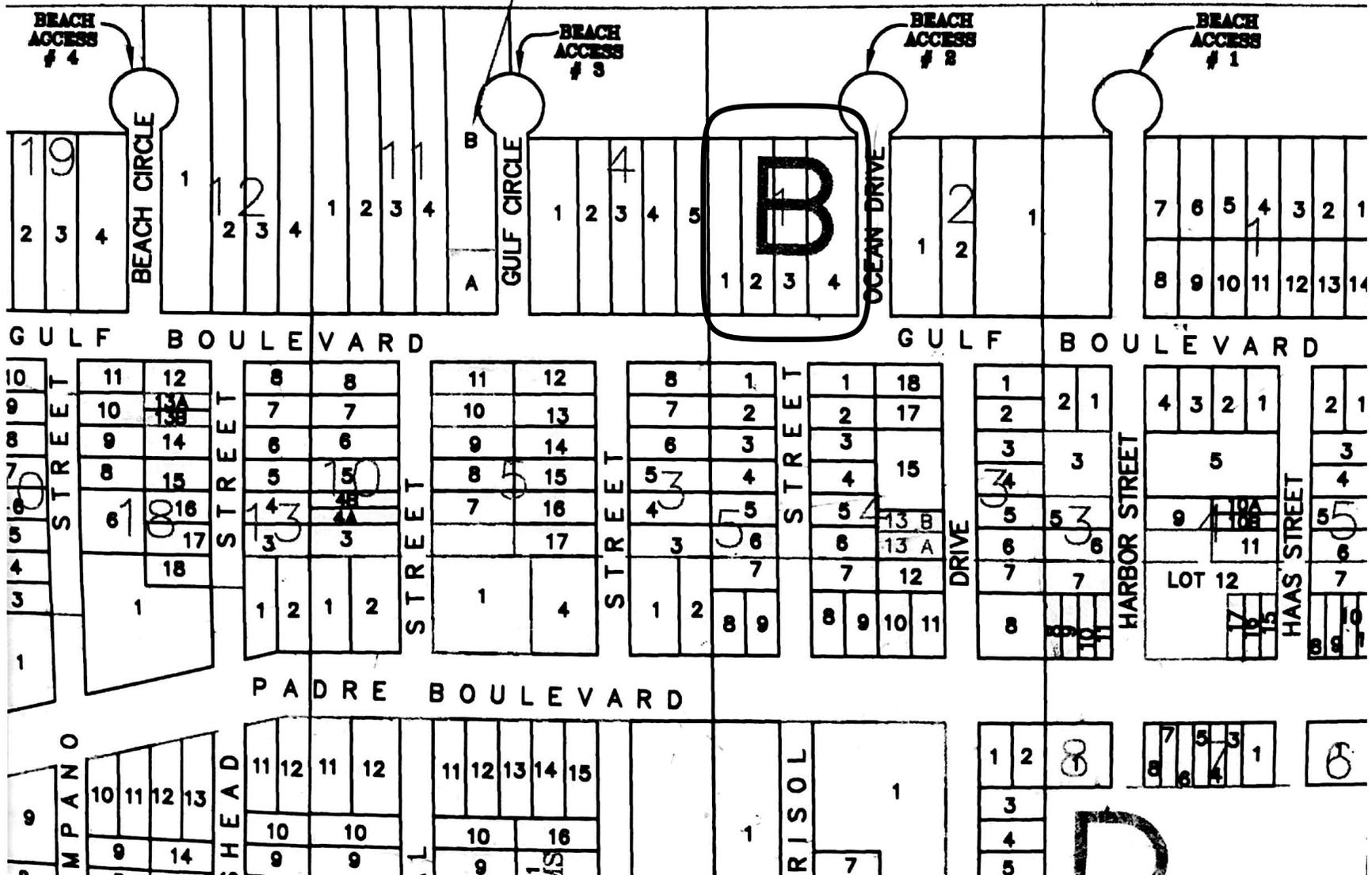
GAMBLE PALMER
RESUBDIVISION

PADRE BEACH,
SECTION II

PADRE BEACH,
SECTION I

SUNNY ISLE
SUBDIVISION

HAAS
SUBDIVISION





Beach & Dune Application

City of South Padre Island
4601 Padre Blvd
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description:

Lots 1-4 - Block 1 - Sunny Isle Subd.

Physical Address:

1700 Gulf Blvd
Marisol Condominiums HOA

Property Owner Information

Applicant / Agent for Owner

Name: Marisol Condominiums HOA

Mailing Address: 1700 Gulf Blvd

City: South Padre Island State: TX

Zip: 78597 Country: USA

Phone Number: 761-1193

Fax Number: 761-5032

E-Mail Address: manager@marisol-spi.com

Name: Jaime Ortiz - Ortiz Construction

Mailing Address: P.O. Box 562

City: Port Isabel State: TX

Zip: 78578 Country: Cameroon

Phone Number: 455-4263

Fax Number:

E-Mail Address: ORTIZ7464@GMAIL.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here AD.)

Owner(s) Signature(s): [Signature]

Date: 07.19.16

Applicant Signature: [Signature]

Date: 07/19/16

Project Description

Describe with as much as detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

NEW 5' WIDE X 300' LONG WOODEN DECK.

MARISOL CONDOS.

Total Square Footage of Footprint of Habitable Structure: N/A

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): N/A

Percentage Impervious Surface [(impervious surface / habitable footprint) * 100]: N/A

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction:

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required if/once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: N/A Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

- No change in the drainage on site.
- The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: _____

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

- No damage to dune vegetation whatsoever.
- The proposed construction will impact 1 (one) % of the dune vegetation site. (An explanation of the "impact" will be required.)
- The proposed construction will require the removal and relocation of 1 (one) % of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: walkways will be installed by hand no machinery required for the work

2. How will the proposed construction alter the dune size/shape at the project site?

- No change to dune size/shape whatsoever.
- The proposed construction will change _____ % of the size/shape of dunes on site. (Details will be required.)
- The proposed construction will require the removal and relocation of _____ % of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

- No change to dune hydrology whatsoever.
- The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

None

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

None

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation

Explanation / Other Information:

*Minimal relocation of adjacent vegetation may occur
Any damage will be mitigated on a one-one basis*

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant

N/A

Type of Plan Submitted _____

Date of Submission _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
7. Location of all existing and proposed beach access paths and/or dune walkovers.
8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

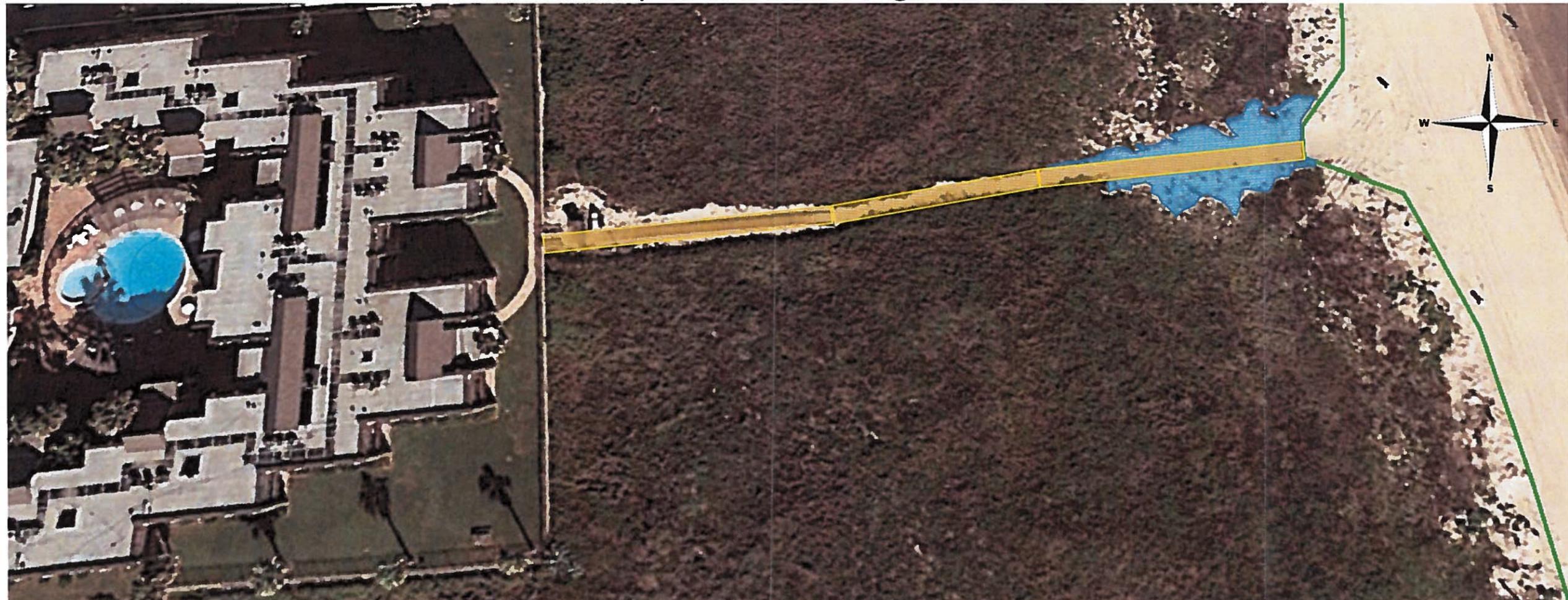
1. A grading and layout plan showing proposed contours for the final grade.
2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

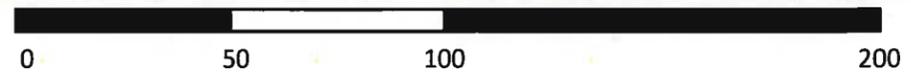
Application submissions require only three (3) copies of the complete information plus a digital copy.

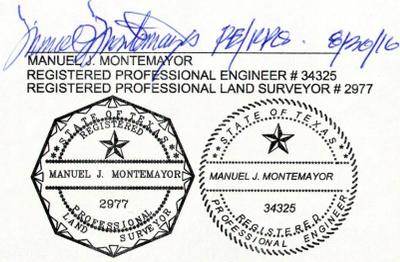
Marisol Beach Dune Walkover

- Planting Locations for Mitigation
- Projected Footprint of Raised Beach and Dune Walkover
- Surveyed Line of Vegetation 9/8/2016



Map By Brandon N. Hill
Sources: Google Earth, SPI Shoreline
Management Department

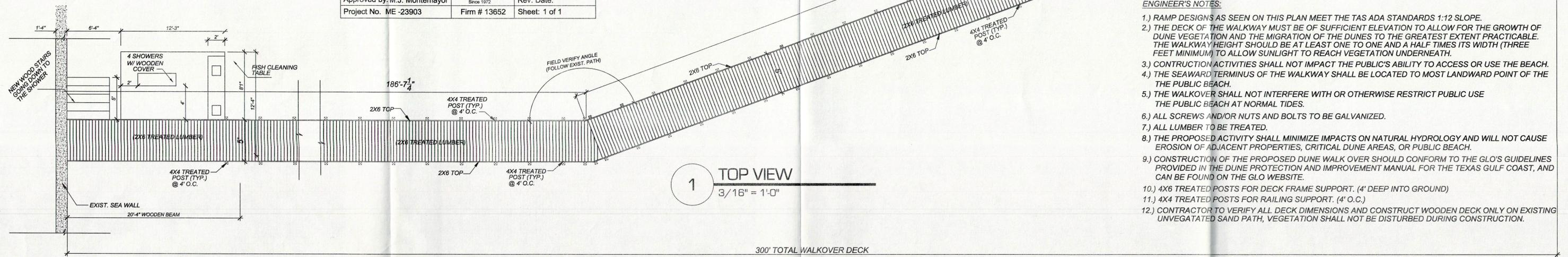
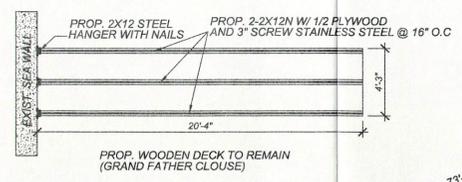




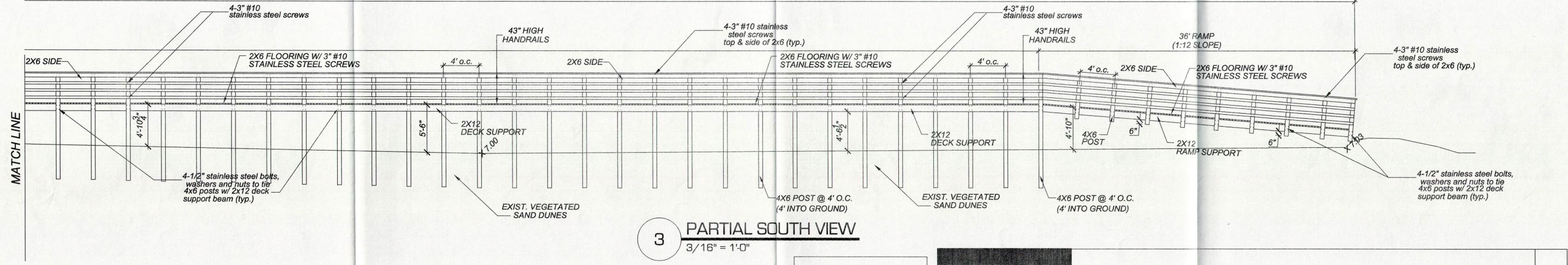
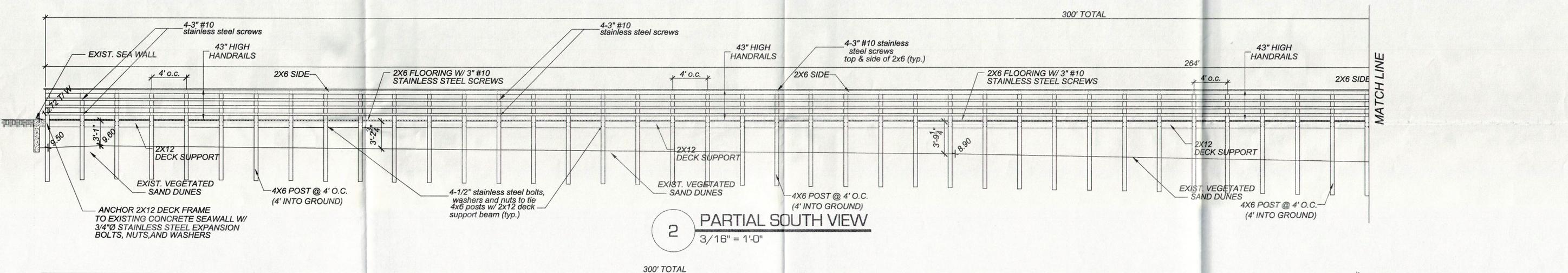
Rev. Date: 08/24/2016
 Rev. Date: 08/23/2016
 Rev. Date: 08/22/2016

MONTEMAYOR - HANSEN
GARCIA - VILLAFRANCO & ASSOCIATES
 ENGINEERS • SURVEYORS • PLANNERS
 6491 Paredes Line Road, Brownsville, TX 78526
 Office: (956) 546-0671 Fax: (956) 541-8606
 mjmonte6491@gmail.com www.montemayorengineering.com

Drawn by: Scale: 1" = 30.0'
 Checked by: J.C. Ruiz Date: 7/21/16
 Approved by: M.J. Montemayor Rev. Date:
 Project No. ME -23903 Firm # 13652 Sheet: 1 of 1



- ENGINEER'S NOTES:**
- 1.) RAMP DESIGNS AS SEEN ON THIS PLAN MEET THE TAS ADA STANDARDS 1:12 SLOPE.
 - 2.) THE DECK OF THE WALKWAY MUST BE OF SUFFICIENT ELEVATION TO ALLOW FOR THE GROWTH OF DUNE VEGETATION AND THE MIGRATION OF THE DUNES TO THE GREATEST EXTENT PRACTICABLE. THE WALKWAY HEIGHT SHALL BE AT LEAST ONE TO ONE AND A HALF TIMES ITS WIDTH (THREE FEET MINIMUM) TO ALLOW SUNLIGHT TO REACH VEGETATION UNDERNEATH.
 - 3.) CONSTRUCTION ACTIVITIES SHALL NOT IMPACT THE PUBLIC'S ABILITY TO ACCESS OR USE THE BEACH.
 - 4.) THE SEAWARD TERMINUS OF THE WALKWAY SHALL BE LOCATED TO MOST LANDWARD POINT OF THE PUBLIC BEACH.
 - 5.) THE WALKOVER SHALL NOT INTERFERE WITH OR OTHERWISE RESTRICT PUBLIC USE OF THE PUBLIC BEACH AT NORMAL TIDES.
 - 6.) ALL SCREWS AND/OR NUTS AND BOLTS TO BE GALVANIZED.
 - 7.) ALL LUMBER TO BE TREATED.
 - 8.) THE PROPOSED ACTIVITY SHALL MINIMIZE IMPACTS ON NATURAL HYDROLOGY AND WILL NOT CAUSE EROSION OF ADJACENT PROPERTIES, CRITICAL DUNE AREAS, OR PUBLIC BEACH.
 - 9.) CONSTRUCTION OF THE PROPOSED DUNE WALK OVER SHOULD CONFORM TO THE GLO'S GUIDELINES PROVIDED IN THE DUNE PROTECTION AND IMPROVEMENT MANUAL FOR THE TEXAS GULF COAST, AND CAN BE FOUND ON THE GLO WEBSITE.
 - 10.) 4X6 TREATED POSTS FOR DECK FRAME SUPPORT. (4' DEEP INTO GROUND)
 - 11.) 4X4 TREATED POSTS FOR RAILING SUPPORT. (4' O.C.)
 - 12.) CONTRACTOR TO VERIFY ALL DECK DIMENSIONS AND CONSTRUCT WOODEN DECK ONLY ON EXISTING UNVEGATED SAND PATH, VEGETATION SHALL NOT BE DISTURBED DURING CONSTRUCTION.



Project	EH-1150	Sheet	1 OF 2
Date	07/17/16	A-1	
Scale	AS NOTED		

LEGAL DESCRIPTION:

PROPERTY ADDRESS:
 1700 GULF BLVD.
 SOUTH PADRE ISLAND, TEXAS 78597

CLIENT INFO:
 MARISOL CONDOS
 1700 GULF BLVD.
 SOUTH PADRE ISLAND, TEXAS 78597

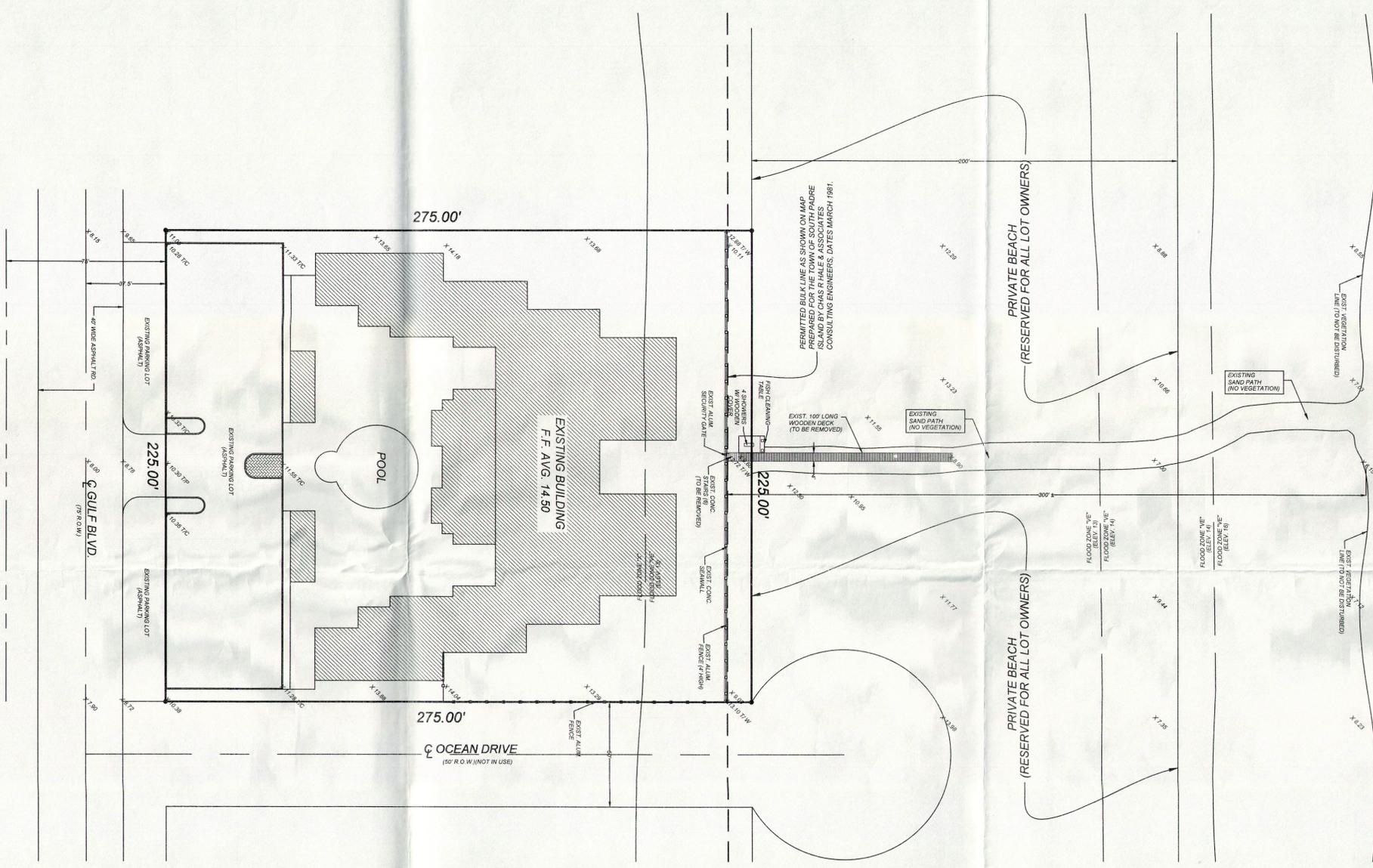
No.	Date	Revision/Issue
2	7/21/16	Remove Stairs
1	7/20/16	Remove Stair's Landing

THE DESIGNER ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS PLAN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM THE FOLLOWING BEFORE ACTUAL CONSTRUCTION COMMENCES:

- 1- BUILDER OR CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION.
- 2- BUILDER OR CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING CODES OF THE AREA WHERE THE STRUCTURE IS TO BE CONSTRUCTED AND LOCATED.

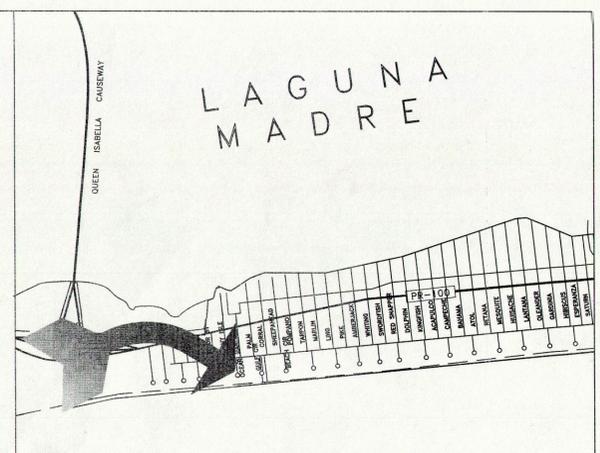
NEW 5' WIDE X 300' LONG WOODEN DECK @ MARISOL CONDOS

PROJECT DATA



THIS AREA IS SUBJECT TO THE RIGHT OF THE PUBLIC TO THE USE OF ANY LAND EXTENDING FROM THE MEAN LOWER TIDE LINE TO THE VEGETATION LINE AS DEFINED IN CHAPTER 61, NATURAL RESOURCES CODE

THIS AREA IS SUBJECT TO THE RIGHT OF THE PUBLIC TO THE USE OF ANY LAND EXTENDING FROM THE MEAN LOWER TIDE LINE TO THE VEGETATION LINE AS DEFINED IN CHAPTER 61, NATURAL RESOURCES CODE



VICINITY MAP
SCALE: 1" = 2000.0'

TOPOGRAPHIC SURVEY OF
LOTS 1-4, BLOCK 1, SUNNY ISLE SUBDIVISION
TOWN OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS ACCORDING
TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 14, PAGE 8,
OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS.

PREPARED FOR: **MARISOL CONDOMINIUMS**

NOTES: 1.) THIS SUBDIVISION LIES IN FLOOD ZONES AS SHOWN, PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0001D, EFFECTIVE MARCH 09, 1999.

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 ADDRESS OF PROPERTY:
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Manuel J. Montemayor
 MANUEL J. MONTEMAYOR 07/18/16
 REGISTERED PROFESSIONAL ENGINEER # 34325
 REGISTERED PROFESSIONAL LAND SURVEYOR # 2977

MONTEMAYOR - HANSEN
 GARCIA - VILAFRANCO & ASSOCIATES
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Drawn by: ENRIQUE HDZ.	Scale: 1" = 30.0'
Checked by: J.C. Ruiz	Date: 7/17/16
Approved by: M.J. Montemayor	Rev. Date:
Project No. ME -23903	Firm # 13652 Sheet: 1 of 1

Patrick Barrineau

From: Paul Y Cunningham Jr. <lawofficepyc@sbcglobal.net>
Sent: Wednesday, August 17, 2016 10:47 AM
To: Patrick Barrineau
Cc: Darla A. Jones; Jay Mitchim; Kathy Cunningham
Subject: Re: Shoreline Management Dept. legally nonconforming structure query

I have no problem with the plan if it is OK with the GLO. They are not modifying the nonconforming structure.

Paul Y. Cunningham, Jr.
Paul Y. Cunningham, Jr., P.C.
P.O. Box 2729
South Padre Island, Texas 78597
Telephone:(956)761-6476
Facsimile:(956)761-7812

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From: Patrick Barrineau <PBarrineau@MySPI.org>
To: Paul Cunningham <lawofficepyc@sbcglobal.net>
Sent: Wednesday, August 17, 2016 9:55 AM
Subject: RE: Shoreline Management Dept. legally nonconforming structure query

This is only for a new walkover with stairs leading to the shower pad, there are no plans to alter the footprint or structure as it stands now.

Patrick Barrineau | Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Blvd South Padre Island, Texas 78597
Office: 956-761-8111 | Fax: 956-761-3898 |
E-mail: PBarrineau@myspi.org www.MySPI.org
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From: Paul Y Cunningham Jr. [mailto:lawofficepyc@sbcglobal.net]
Sent: Wednesday, August 17, 2016 9:53 AM
To: Patrick Barrineau <PBarrineau@MySPI.org>

Cc: Kathy Cunningham <lkathyc_law@yahoo.com>

Subject: Re: Shoreline Management Dept. legally nonconforming structure query

Are they planning to do anything to the wash stand area or is this just for the new walk over with stairs to the shower pad?

Paul Y. Cunningham, Jr.
Paul Y. Cunningham, Jr., P.C.
P.O. Box 2729
South Padre Island, Texas 78597
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Facsimile:(956)761-7812

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From: Patrick Barrineau <PBarrineau@MySPI.org>
To: Paul Cunningham <lawofficepyc@sbcglobal.net>
Sent: Wednesday, August 17, 2016 9:13 AM
Subject: Shoreline Management Dept. legally nonconforming structure query

Good Morning Mr. Cunningham,

I hope this message finds you well. The Shoreline Management staff have a question regarding the legality of a legally nonconforming ('grandfathered') structure located east of the Historic Building Line and would very much appreciate your opinion. The answer to this question will determine how the Shoreline Department recommends a private dune walkover be built at the Marisol condominiums. In this message I will try to convey enough information so that you will be able to offer a recommendation on how to move forward. However if you feel as though you need more background, or a face-to-face conversation would work better, please let me know and I'll be happy to oblige.

In the dune area seaward of the Marisol condominiums, there is a wooden shower pad located along a low wooden boardwalk leading to the beach. Photographs of the site looking towards the seawall and beach are attached here for your information. The property owners desire to build a walkover leading from the seawall to the beach, featuring stairs leading down to the shower pad from the walkover itself. The blueprints are attached here with the stairs and shower pad highlighted. The property owners are steadfastly insistent on maintaining access to their shower pad, and have indicated repeatedly they believe there is a legal argument in favor of them maintaining this access. Additionally, the stairs and resultant access to the shower pad would very likely have little to no impact on dune vegetation or sand - in fact, removal of the shower pad would most likely result in more damage to the surrounding dunes and vegetation than allowing the pad to remain - so from the perspective of the Shoreline Management Department and General Land Office, the pad is permissible. Shoreline staff have confirmed this with GLO staff in Austin.

After consulting members of the building department in City Hall, Shoreline staff were informed that the State has a reasonable expectation that any legally nonconforming structure will eventually be brought into compliance, often by not permitting newly built structures to grant access to legally

nonconforming structures. Our interpretation is that including stairs granting access to the shower pad from the newly built walkover would be in violation of this reasonable expectation. So, the question that has arisen through our discussions with the property owners is: are newly-constructed dune walkovers allowed to grant access to a legally nonconforming structure such as a shower pad within the dune protected area? In other words, are the property owners allowed to build a new dune walkover with stairs leading to the shower pad? Please let me know if you would like any more information or would prefer to have a conversation regarding this situation, and I will look forward to hearing back from you soon.

Best Regards,

Patrick

Patrick Barrineau | Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Blvd South Padre Island, Texas 78597
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**CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE
AGENDA REQUEST FORM**

MEETING DATE: November 28, 2016

NAME & TITLE: Brandon Hill, Shoreline Management Director

ITEM

Discussion and possible action on submission of Beach Dune Permit for the retaining wall construction for the Marriot Property 6700 Padre Blvd from the City to the GLO. (Hill)

ITEM BACKGROUND

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal: YES: _____ NO: _____
Approved by Legal: YES: _____ NO: _____

Comments:

RECOMMENDATIONS/COMMENTS



Beach & Dune Application

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description: East Tract 16, PADRE BEACH ESTATES SUBDIVISION Physical Address: 6700 PADRE BLYD

Property Owner Information

Name: MODERN RESORT LODGING LLC
Mailing Address: 7010 PADRE BLYD
City: SOUTH PADRE ISLAND State: TX
Zip: 78597 Country: USA
Phone Number: 956 373 2377
Fax Number: -
E-Mail Address: lacopainn@gmail.com

Applicant / Agent for Owner

Name: SAME AS PROPERTY OWNER
Mailing Address: _____
City: _____ State: _____
Zip: _____ Country: _____
Phone Number: _____
Fax Number: _____
E-Mail Address: _____

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here BP)

Owner(s) Signature(s): [Signature] BARNEY PATEL
Date: 11/21/2017

Applicant Signature: _____
Date: _____

Project Description

Describe with as much as detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

THE Project includes construction of a new Retaining wall to be located along the "Permitted Bulkhead line as shown on the map." (attached)

Total Square Footage of Footprint of Habitable Structure: 0 sq Ft
Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 500 SQFT
Percentage Impervious Surface [(impervious surface / habitable footprint)* 100]: 0%

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: 180 days

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required if/once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: _____ Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

- No change in the drainage on site.
- The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: _____

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

- No damage to dune vegetation whatsoever.
- The proposed construction will impact <7 % of the dune vegetation site. (An explanation of the "impact" will be required.)
- The proposed construction will require the removal and relocation of _____ % of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

2. How will the proposed construction alter the dune size/shape at the project site?

- No change to dune size/shape whatsoever.
- The proposed construction will change _____ % of the size/shape of dunes on site. (Details will be required.)
- The proposed construction will require the removal and relocation of _____ % of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

- No change to dune hydrology whatsoever.
- The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

NONE

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

NONE

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: Any and all damage caused will be repaired
1:1 basis.

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted: _____ Date of Submission: _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

- 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- 1. A grading and layout plan showing proposed contours for the final grade.
- 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
- 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.

North Property Line- LOV Looking South



Looking North from
HBL on Tiki wall



Looking North from
LOV



GULF 01

CONTOUR OF ELEVATION -0.7 FT. (NATIONAL GEODETIC VERTICAL DATUM OF 1929) SURVEYED FOR MEAN LOWER LOW TIDE JULY 19, 2016.

CONTOUR OF ELEVATION +0.7 FT. (NATIONAL GEODETIC VERTICAL DATUM OF 1929) SURVEYED FOR MEAN HIGHER HIGH TIDE JULY 19, 2016.

$S09^{\circ}46'29" E$ 202.95'

OF WATER
JULY 19, 2016
8:15 AM

THIS AREA IS SUBJECT TO THE RIGHT OF THE PUBLIC TO THE USE OF ANY LAND EXTENDING FROM THE MEAN LOW TIDE LINE TO THE VEGETATION LINE AS DEFINED BY CHAPTER 61, NATURAL RESOURCES CODE.

LINE 200 FT. WEST OF AND PARALLEL TO THE MEAN LOW TIDE LINE.

ZONE "VE" (ELEV. 16)
ZONE "VE" (ELEV. 14)

ZONE "VE"
(ELEV. 14)
ZONE "AE"
(ELEV. 12)

PERMITTED BULKHEAD LINE AS SHOWN ON A MAP PREPARED BY CHAS. R. HALE ASSOCIATES, INC., CONSULTING ENGINEER FOR THE TOWN OF SOUTH PADRE ISLAND DATED MARCH 1981.

TOE OF DUNES AND
LINE OF VEGETATION

PROPOSED
RETAINING WALL

CONCRETE BULKHEAD

BAR

RESTROOMS

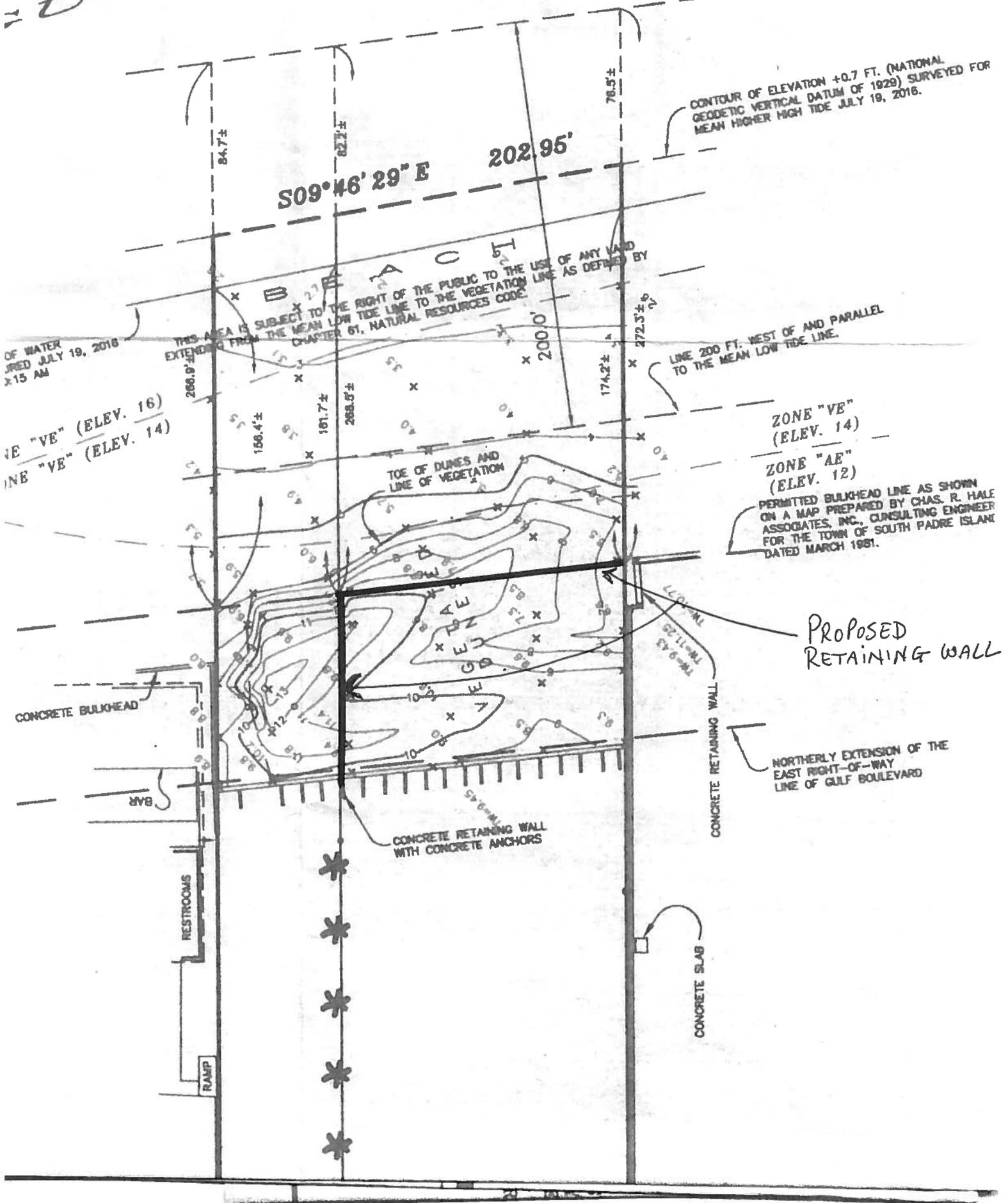
RAMP

CONCRETE RETAINING WALL
WITH CONCRETE ANCHORS

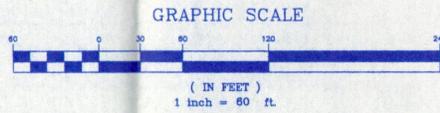
CONCRETE SLAB

CONCRETE RETAINING WALL

NORTHERLY EXTENSION OF THE
EAST RIGHT-OF-WAY
LINE OF GULF BOULEVARD

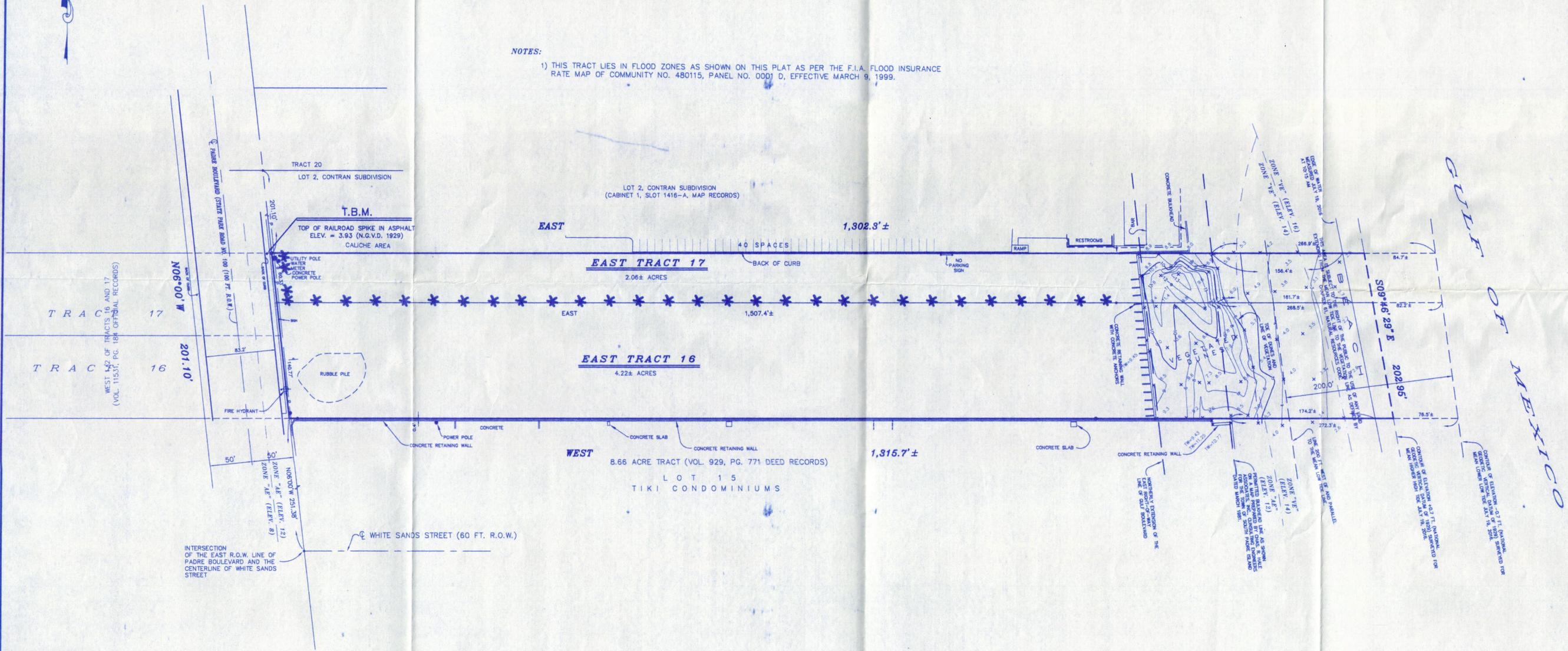


MERIDIAN PER
PADRE BEACH
ESTATES



NOTES:

1) THIS TRACT LIES IN FLOOD ZONES AS SHOWN ON THIS PLAT AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 0001 D, EFFECTIVE MARCH 9, 1999.



**TOPOGRAPHIC SURVEY
OF**

THE BEACH PORTION OF EAST TRACT SEVENTEEN (17) AND EAST TRACT SIXTEEN (16), PADRE BEACH ESTATES SUBDIVISION, LYING EAST OF STATE HIGHWAY 100 A SUBDIVISION IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, IN THE CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET 1, SLOT 3323, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SURVEYED FOR:

BARRY PATEL
revised JULY 19, 2016



Mejia & Rose, Incorporated

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