

**NOTICE OF 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 REGULAR MEETING ON:

MONDAY, MAY 22, 2017
3:00 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to Order.
2. Pledge of Allegiance.
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to 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 May 15, 2017 special meeting minutes.
5. Discussion and possible action to recommend City Council grant the beach and dune permit for 6800 Padre Blvd (Claytons Beach Pier) with GLO comments. (Hill)
6. Adjournment.

DATED THIS THE 17TH DAY OF MAY 2017



Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF 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 MAY 17, 2017 AT/OR BEFORE 2:00 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, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-8103.

**CITY OF SOUTH PADRE ISLAND
SHORELINE TASKFORCE
MEETING
AGENDA REQUEST FORM**

MEETING DATE: 5/22/2017

NAME & TITLE: Brandon N. Hill, Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Approval of the May 15, 2017 meeting minutes.

ITEM BACKGROUND

Shoreline Taskforce held a special meeting regarding; the discussion and possible action on the South Padre Island Parking Analysis DMAIC (Hill)

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

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

Comments:

RECOMMENDATIONS/COMMENTS

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

MONDAY, May 15, 2017

I. Call to Order.

The Shoreline Task Force of the City of South Padre Island, Texas held a special meeting on Monday, May 15, 2017, at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island Texas. Chairman Troy Giles, and Thor Lassen were absent from the meeting, Mr. Neil Rasmussen called the meeting to order at 3:00 p.m. A quorum was present: Task Force Member Virginia Guillot, Stormy Wall, and Norma Trevino, with Kerry Schwartz arriving late.

City staff members present were: City Manger Susan Guthrie, Assistant City Manager Darla Jones, Shoreline Management Director Brandon Hill, and Shoreline Program Coordinator Jose Manuel Aguilar,

II. Pledge of Allegiance.

Mr. Rasmussen led the Pledge of Allegiance.

III. Public Comments and Announcements.

No public comments.

IV. Approval of the May 8, 2017 meeting minutes.

Task Force Member Stormy Wall made a motion to approve the May 8, 2017 meeting minutes, seconded by Virginia Guillot. Motion passed unanimously.

V. Discussion and possible action on the South Padre Island Parking Analysis DMAIC (Hill)

Task Force Member Norma Trevino made a motion, seconded by Stormy Wall to recommend the Staff recommendations to City Council regarding the proposed parking solutions found in the DMAIC presentation.

Motion passed unanimously, with all attending members voting.

VI. Adjournment.

There being no further business, Task Force Member Neil Rasmussen adjourned the meeting at 3:59 p.m.

Jose Aguilar, Program Coordinator

Troy Giles, Chairman

**CITY OF SOUTH PADRE ISLAND
SHORELINE TASKFORCE
MEETING
AGENDA REQUEST FORM**

MEETING DATE: 5/22/2017

NAME & TITLE: Brandon N. Hill, Shoreline Director

DEPARTMENT: Shoreline Department

ITEM

Discussion and possible action to recommend City Council grant the beach and dune permit for 6800 Padre Blvd (Claytons Beach Pier) with GLO comments. (Hill)

ITEM BACKGROUND

Shoreline Taskforce members voted to recommend the beach and dunes permit for submission to GLO for comments at a regular Shoreline Taskforce meeting held on March 6, 2017. The application, plans and mitigation have been approved by the GLO. They have stated that the proposed construction activities must minimize impacts on natural hydrology and not cause erosion of adjacent properties, critical dune areas, or the public beach. The USACE has reviewed the project and deemed that it is not a hazard to navigation or the coastal processes in their jurisdiction.

BUDGET/FINANCIAL SUMMARY

COMPREHENSIVE PLAN GOAL

LEGAL REVIEW

Sent to Legal: YES: _____ NO: X

Approved by Legal: YES: _____ NO: X

Comments:

RECOMMENDATIONS/COMMENTS

The structure has been approved by both the GLO and USACE who have conducted rigorous review. City staff has also conducted extensive study to ensure that the proposed project should not have any short term impacts on the shoreline and long-term could aid in shoreline accretion in the area. City Staff cannot identify any scientifically backed reason to not grant the beach and dune permit to the applicant.

MEMORANDUM

TO: Shoreline Task Force
Natalie Bell, General Land Office
FROM: Brandon N. Hill, Shoreline Management Department Project and Program Manager
DATE: March 7, 2017
RE: East Tract 17 Padre Beach Estates Construction of Retaining wall and fishing pier.

The applicant has requested permission to build a fishing pier. Within the DPA the applicant proposes building a deck, raised roof structure, retaining wall and 1000 foot fishing pier. This is necessary to receive recommendation on because it is within the Dune Protected Area and constitutes as a change of footprint and impermeable surfaces. The proposed retaining wall will be behind HBL.

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 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



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

May 8, 2017

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: 6800 Padre Boulevard, South Padre Island
Legal Description: East Tract 17, Padre Beach Estates
Lot Applicant: Clayton Brashear
GLO ID No.: BDSPI-17-0068a

Dear Mr. Hill:

The General Land Office (GLO) has reviewed the application for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes to construct a retaining wall behind the historic building line (HBL), an elevated wooden deck with a roof and stairway to the public beach, and a 1,000-foot long fishing pier. The applicant also proposes to compensate on-site for adverse effects to 1,291 square feet of dune vegetation and 170 cubic yards of dune volume. According to the Bureau of Economic Geology, the area is eroding at a rate of two to three feet per year.

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

- The proposed fishing pier must be constructed so that it does not impair or impede public access to or across the public beach easement. The public's free and unrestricted right of ingress and egress to the larger area extending from the line of mean low tide to the line of vegetation must be maintained.¹
- Construction activities must not impact the public's ability to access or use the beach.
- The seaward terminus of the wooden staircase must be restricted to the greatest extent possible to the most landward point of the public beach² and must not interfere with or otherwise restrict public use of the beach at normal high tides.³
- Concrete may not be used to stabilize the base of the pilings for the wooden staircase.⁴
- The City shall require the property owner to remove any wall that is exposed to substantial wave action for 20 days out of any 30 consecutive days except following major storm events (tropical storms, hurricanes, etc.), in which case, the owner will be given additional time to determine compliancy, as

¹ TNRC §61.011(a).

² 31 Tex. Admin. Code § 15.7(g)(1).

³ 31 Tex. Admin. Code § 15.7(g)(2).

⁴ 31 Tex. Admin. Code § 15.6(f)(3).

determined by the City and State agencies. If removal is required, it will be at the property owner's expense.⁵

- The applicant proposes to compensate for adverse impacts to dune and dune vegetation seaward of the existing line of vegetation. The City shall require the applicant to locate restored dunes in the area extending no more than 20-feet seaward of the landward boundary of the public beach or seaward of the line of vegetation as surveyed by the GLO on January 26, 2017. The City shall ensure that the 20-foot restoration area follows the natural migration of the vegetation line.⁶
- The City shall not allow the applicant to restore dunes, even within the 20-foot corridor, if such dunes would restrict or interfere with the public use of the beach at normal high tide.⁷
- The City shall require the applicant to restore dunes to be continuous with any surrounding naturally formed dunes and shall approximate the natural position, contour, volume, elevation, vegetative cover, and sediment content of any naturally formed dunes in the area.⁸
- 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.⁹
- The City shall require persons restoring dunes to use indigenous vegetation that will achieve the same protective capability as the surrounding natural dunes.¹⁰
- 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 dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.¹¹
- The proposed construction activities must minimize impacts on natural hydrology and not cause erosion of adjacent properties, critical dune areas, or the public beach.¹²
- The City must require the applicant to conduct mitigation efforts continuously until the 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 mitigation.¹³
- The City shall determine a mitigation project 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.¹⁴
- 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.¹⁵

⁵ SPI Dune Protection and Beach Access Plan, Special Provisions, page 15.

⁶ 31 Tex. Admin. Code § 15.7(e)(1).

⁷ 31 Tex. Admin. Code § 15.7(e)(2).

⁸ 31 Tex. Admin. Code § 15.7(e)(3).

⁹ 31 Tex. Admin. Code § 15.7(e)(3).

¹⁰ 31 Tex. Admin. Code § 15.7(e)(4).

¹¹ 31 Tex. Admin. Code § 15.4(d).

¹² 31 Tex. Admin. Code § 15.6(g).

¹³ 31 Tex. Admin. Code § 15.4(g)(2).

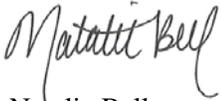
¹⁴ 31 Tex. Admin. Code § 15.4(g)(3).

¹⁵ 31 Tex. Admin. Code § 15.4(g)(4).

- The City must ensure the proposed construction is consistent with the FEMA-approved county commissioners court order.¹⁶
- Since a portion of the proposed pier construction is located on GLO land, a lease agreement must be executed between the applicant and the GLO prior to initiation of construction activities related to the proposed fishing pier.

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

¹⁶ 31 Tex. Admin. Code § 15.6 (e)(3).

Staff Recommendations

The applicant is proposing significant construction within the Dune Protected Area, however has proposed mitigation. Staff recommends the following:

1. That the applicant mitigate soil impacts by relocating all excavated beach quality material in front of the proposed retaining wall.
2. That all vegetation impacted by construction and the moved sediment be mitigated for. This implies that as the applicant raises the height of the dunes using the relocated sediment that the plants buried in this process are mitigated for as well.
3. The vegetative mitigation must take place in areas of no or low vegetation and involve the planting of native dune plants.
4. To the extent practicable the applicant will transplant existing vegetation in order to minimize damage and maximize opportunity for success.



Brandon N. Hill



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 17 Padre Beach Estates Physical Address: 6800 Padre Blvd South Padre Island Tx

Property Owner Information

Applicant / Agent for Owner

Name: SPI Properties LLC
Mailing Address: PO BOX 2344
City: South Padre Island State: Texas
Zip: 78597 Country: United States
Phone Number: 956-455-8436
Fax Number: _____
E-Mail Address: _____

Name: Clayton Brashear
Mailing Address: PO BOX 2344
City: South Padre Island State: Texas
Zip: 78597 Country: United States
Phone Number: 956-455-8436
Fax Number: _____
E-Mail Address: claytonamo@aol.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 CB)

Owner(s) Signature(s): 
Date: 3/1/2017

Applicant Signature: 
Date: 3/1/2017

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.

1. Construct 1000 foot wood fishing pier structur into the Gulf of Mexico.
2. Build a 61' x 60' wood deck with a 40'x 50' coverd wood structure with steps to beach
3. See USACE permit and plans attached
4. Exstend retaining wall 60' on agreed designated line

Total Square Footage of Footprint of Habitable Structure: _____

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 120 SQ FT retaining wall, all other structures are wood.

Percentage Impervious Surface [(impervious surface / habitable footprint)* 100]: 2%

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

Approximate Duration of Construction: 36 months depending on weather and surf conditions

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: Retaining wall covenant Date Submitted: N/A

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: See plans and survey

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 100 % of the dune vegetation site. (An explanation of the "impact" will be required.)
- The proposed construction will require the removal and relocation of 100 % of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: See Exhibit B

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 100 % of the size/shape of dunes on site. (Details will be required.)
- The proposed construction will require the removal and relocation of 100 % of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: See Exhibit B

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: See exhibit B

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

There are no other alternative construction methods for this site

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

There are no other alternative methods for this site

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: See exhibit B

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: N/A Date of Submission: N/A

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.



Google Earth

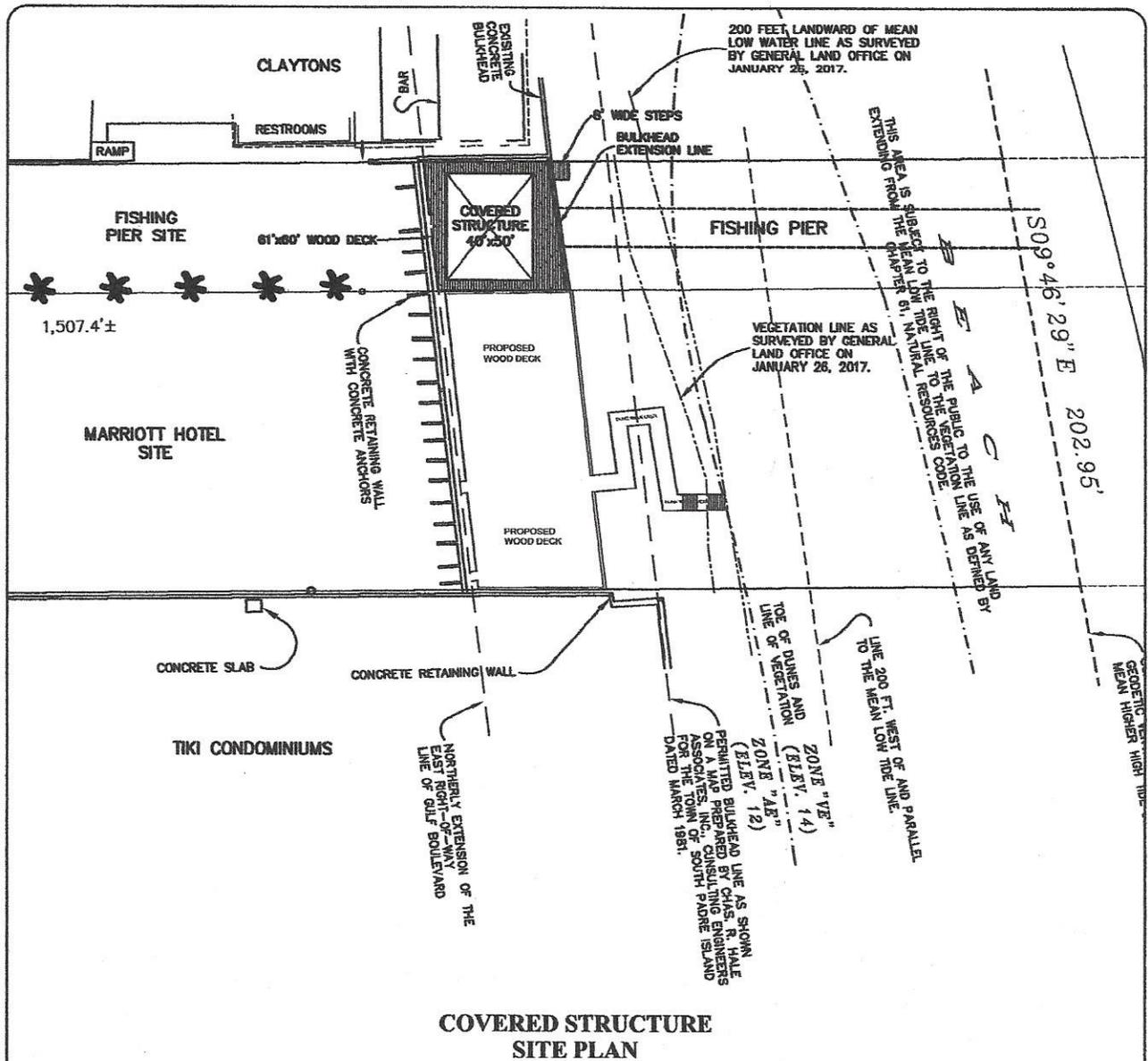




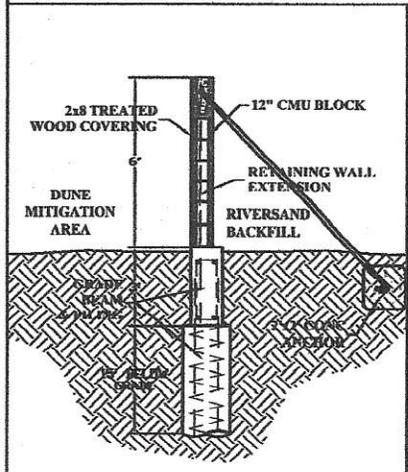
Clayton's

CONCRETE
CORPUSCULES
IN CONCRETE

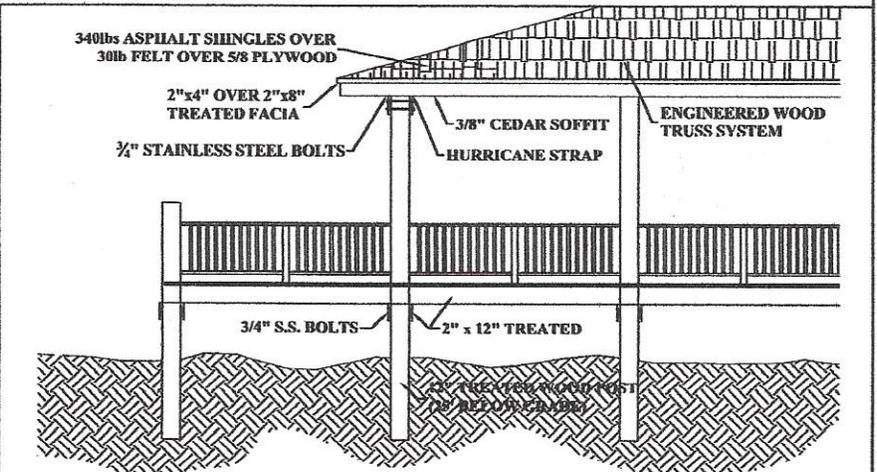




**COVERED STRUCTURE
SITE PLAN**

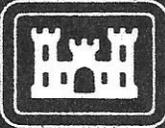


RETAINING WALL DETAIL



DETAIL

CLAYTON BRASHEAR
6800 PADRE BLVD.
SOUTH PADRE ISLAND, TX
SCALE: N.T.S.



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

United States Army Corps of Engineers

2000 Fort Belvoir Road
Galveston, TX 77555

2016_____

A permit to construct a pier

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

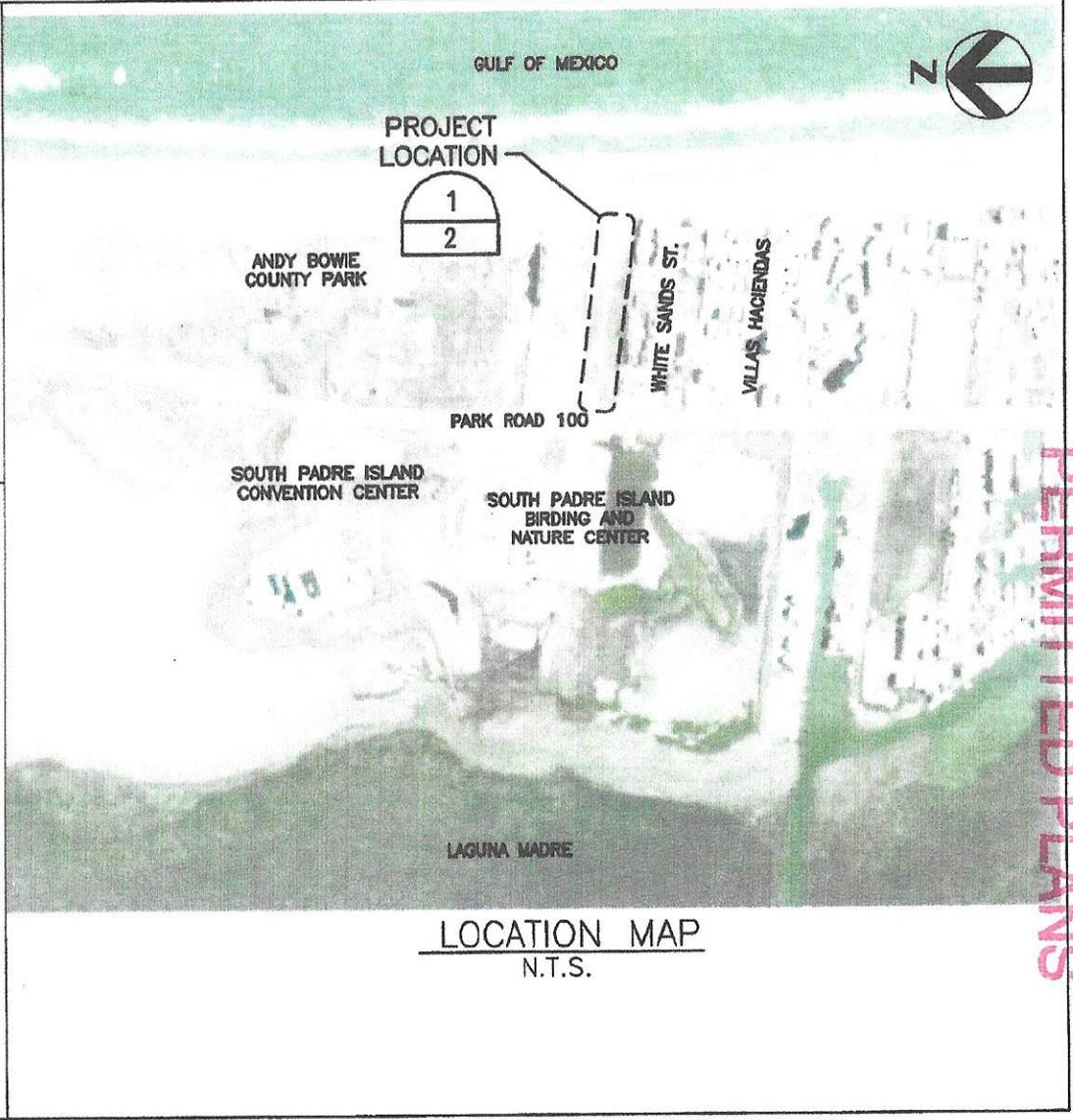
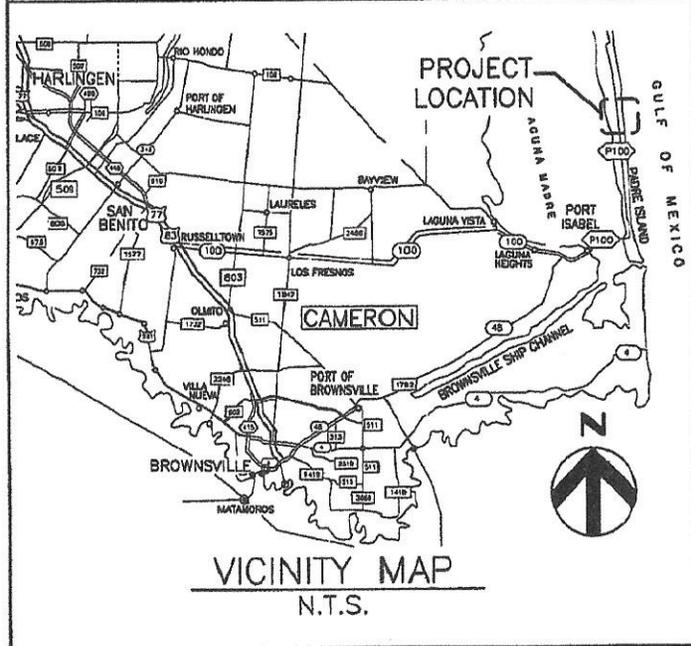
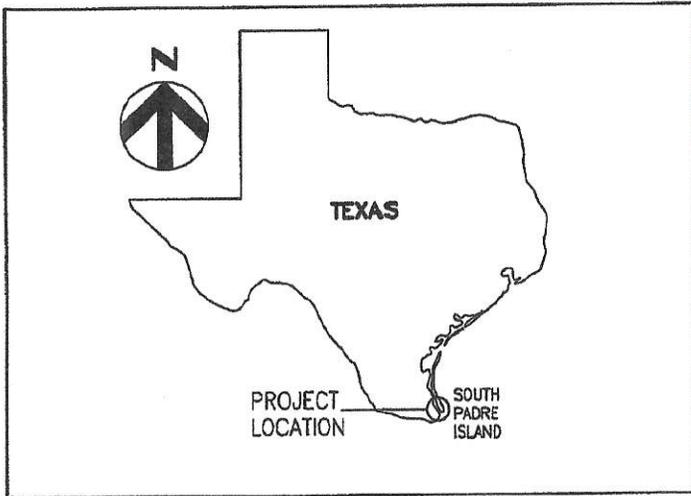
has been issued to Clayton Brashear on 9 Feb. 20 16

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

Permit Number

SWG-2016-00963

District Commander
Matthew Kimmel
for COL. RICHARD P. PANNELL



PERMITTED PLANS

SWG-2012-00963

Sheet 1/4
SWG-2012-00963



PROJECT TITLE **CLAYTON'S BEACH BAR AND GRILL**

SHEET TITLE
CONSTRUCT WOODEN ELEVATED PIER

PROJECT NUMBER
194870

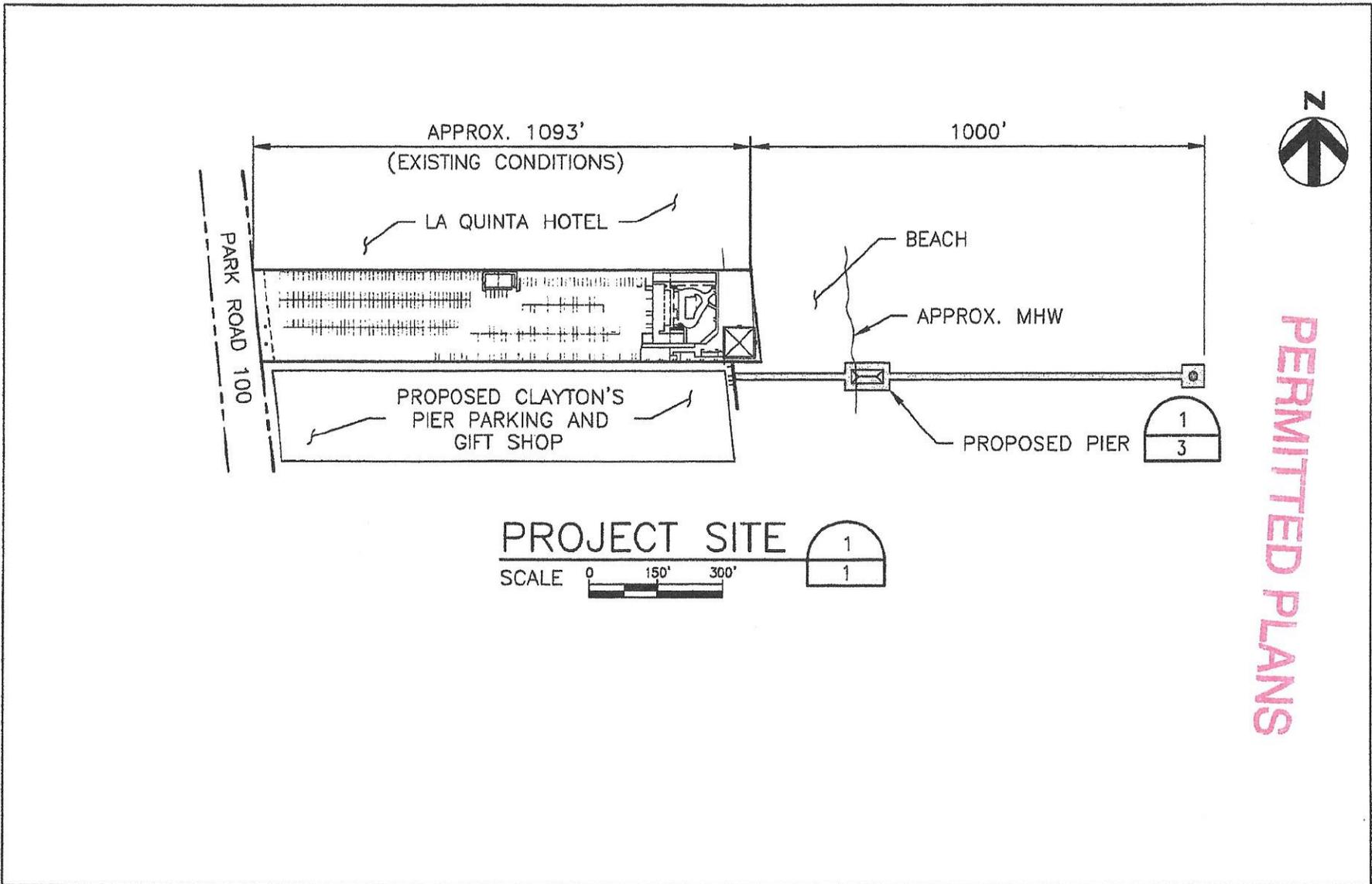
PROJECT MANAGER

DATE
05/13/15

REFERENCE SHEET

REFERENCE DOCUMENT

SHEET NUMBER
1 of 4



PERMITTED PLANS

SWG-2012-00963

SWG-2012-00963
Sheet 2/4



PROJECT TITLE **CLAYTON'S BEACH BAR AND GRILL**

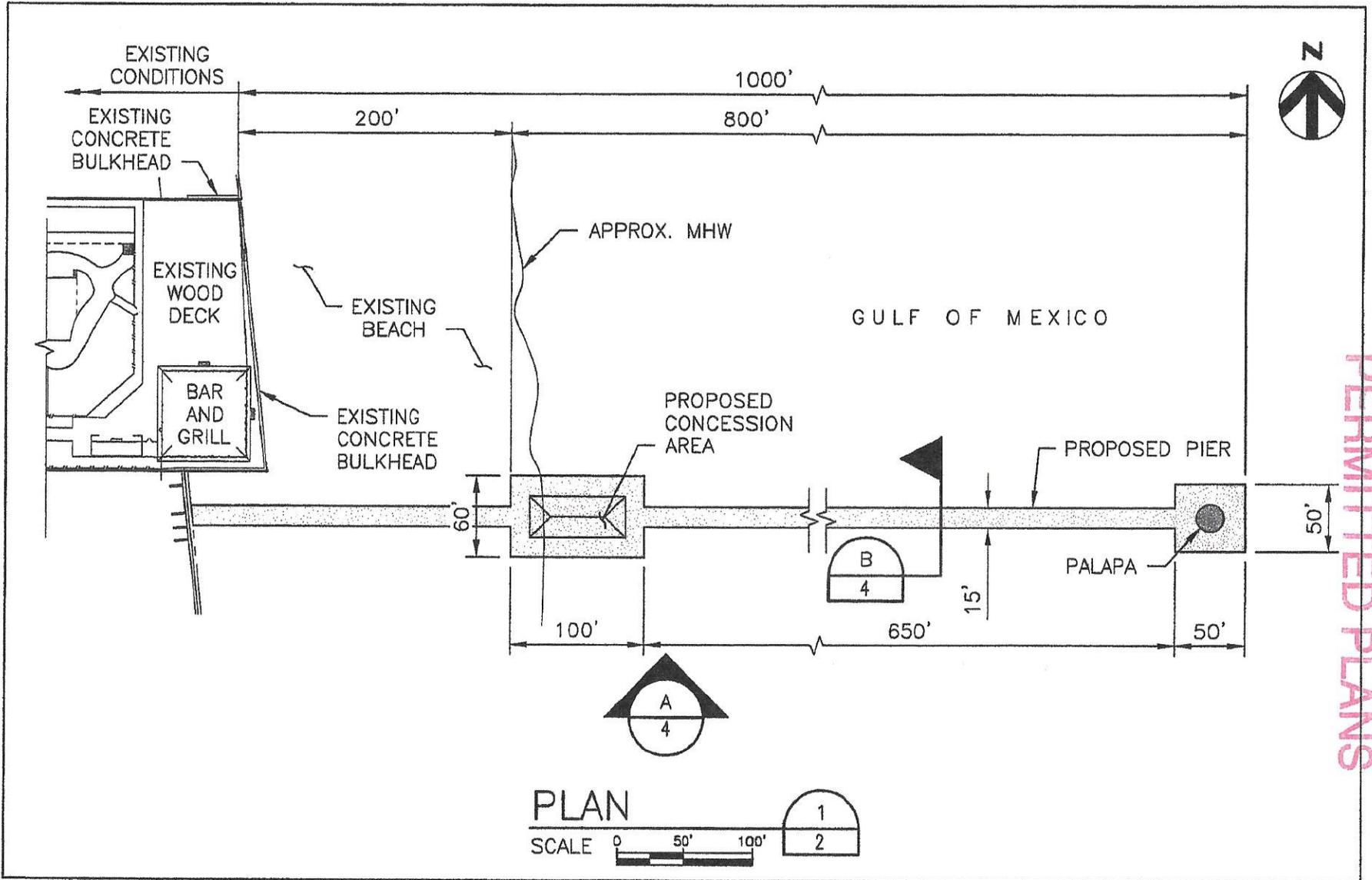
SHEET TITLE
CONSTRUCT WOODEN ELEVATED PIER

PROJECT NUMBER
194870
PROJECT MANAGER

DATE
05/13/15

REFERENCE SHEET
REFERENCE DOCUMENT
SHEET NUMBER

2 of 4



PERMITTED PLANS

SWG-2012-00963

SWG-2012-00963
 Sheet 3/4

 Texas P.E. Firm
 Registration No. F-754

PROJECT TITLE **CLAYTON'S BEACH BAR AND GRILL**

SHEET TITLE
CONSTRUCT WOODEN ELEVATED PIER

PROJECT NUMBER
194870
 PROJECT MANAGER

 DATE
05/13/15

REFERENCE SHEET
 REFERENCE DOCUMENT
 SHEET NUMBER
3 of 4

