DUNE PERMIT APPLICATION
FOR

BEACHGATE II

BY

DECEMBER 2003

Prepared by

J. R. Thompson P.E.
144 Cordula
Corpus Christi Texas

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I. Dune Application Information

A. Applicant/Owner:

Engineer:

Property Description: Proposed Lot 1, Beachgate Unit Two, being a pending replat of Lot 3 plus a portion of Lots 7 & 8, Block 10, State Land Surveys on Mustang Island.

B. Proposed Structures: A three-story condominium building (40'x 162'), a two-story recreation building (24'x100'), pool with deck area (32'x62'), and associated parking lot, entrance drive, and landscaping. The ground floor of the recreation building may be open piling and used for extra covered parking and storage.

C. Parking Spaces: Fifty-six (56) parking spaces will be provided within the new parking lot.

D. Open Space: The resulting open space is as follows:

Total Area	57,915 S.F.	
Buildings	8,880 S.F.	
Driveway and Parking Paving	22,750 S.F.	
Swimming Pool	1,984 S.F. (considered open space)	
Open Space	26,285 S.F.	or 45% of total area

E. Finished Floor Elevation: Ground floor of buildings will be elevation 13.5.

F. Duration of Construction: Construction is expected to take twelve (12) months to complete the paving, buildings, and pool.

G. Dune Walkover and Walkway: No Dune Walkover will be constructed. The existing shell drive thru the dunes will be used for beach access. The existing beach-access drive is permitted as Beach-Access # 15 under Dune Permit #2002-005 by the City of Port Aransas. A copy of the permit is included herein as an appendix to this application.

H. Grading Plan: See Exhibit 1 and 1A for the grading plan for the project.

Drainage will be directed into detention pond on rear of Lot 1, in order to store additional runoff from site due to construction of impervious surfaces. Detention pond is specifically for the use of the runoff from Lot 1 and is not sized for the development of adjacent property not included in the plat of Beachgate Unit 2.

I. Photographs of the Existing Dunes and Vegetation: See Exhibit 2 and 3 for photographs taken in 2003.

J. Financial Capability to Perform Mitigation: The mitigation proposed for this project will be conducted at the beginning of construction. The application has the resources to insure the completion of the mitigation construction and re-vegetation.

K. Site Plan: See Exhibit 1 and 1A for the overall site plan for the project.

L. Alternatives Analysis: The paving and structures were located to avoid the primary foredunes on the site. The size of the condominium was reduced during the design stage in order to minimize impacts to the dune system. Other alternative site plans involved more extensive

impacts.

M. Mitigation Plan: In order to construct the structures it is proposed to relocate an isolated dune (approximately 6' to 7' high) in the middle of the property, from its current location into a swale area of the primary foredune ridge. The mitigation area is on the applicants property and will provide additional flood protection by strengthening the foredune system.

Impact to Dune to be relocated

262 cubic yards of dune volume

New Dune Construction

325 cubic yards of dune volume

Mitigation Procedures: The following measures and procedures will be followed in the performance of the mitigation plan.

a. Mitigation being proposed for permanent losses will be in the form of construction of a new dune on the front of the site in a low area which is not presently a dune. The location of this mitigation dune is shown on Exhibit 1.

b. The mitigation dune shall be constructed to elevation +16.0 and graded to slopes capable of being maintained and stabilized with natural vegetation.

c. Compensation efforts will commence concurrently with the commencement of construction. The GLO will be notified in writing when compensation has been completed. Compensation will be completed within three (3) years after commencement of compensation.

d. Sand fencing will be used as necessary to protect and stabilize the

mitigation dune until vegetation is sufficiently established.

e. Revegetation will occur in the following manner:

(1). Native vegetation, top soil, and seed stock from pool excavation area, supplemented with native hay, will be used to mulch and re-seed the new dune. The top soil and vegetative matter will be scraped from the existing dune and stockpiled for spreading on the new dune after construction. This top soil, mulch, and seed stock will then be applied to the new dune. The material shall also contain sufficient vegetative material so as to form a mat over the surface of the dune that will reduce wind erosion and help retain moisture.

f. Re-vegetation coverage will be deemed complete only after the extent of vegetative coverage on the constructed dune matches or exceeds that of the surrounding naturally formed dunes.

g. Re-inspection of the site will occur every six months until re-vegetation is established.

h. The Contractor shall be careful to avoid damage to any existing critical dune or dune vegetation outside the mitigation area. Any critical dunes or dune vegetation that are altered during the construction of manmade dunes shall be repaired to a level that a t least matches the original state.

i. Exhibit 1 shows the location of the dune mitigation site for this project.

N. Existing Seawalls or Man-Made Vegetated Mounds: No seawalls, retaining walls or man-made vegetated mounds exist on the site.

O. Applicant's Assertions: The applicant makes the following assertions by the submission of this Dune Permit Application:

1. The proposed activity was designed to avoid adverse effects on critical dunes in accordance with the City of Port Aransas Coastal Management Plan.

2. The proposed activity is not one of the prohibited activities listed in the City of Port Aransas Coastal Management Plan.

3. The activity will not result in runoff or drainage patterns that aggravate erosion on or off the site.

4. The activity will not result in significant change to dune hydrology.

5. The activity will not disturb unique flora.

6. The activity will not significantly increase the potential for washovers or blowouts to occur.

7. The proposed activity will not result in avoidable adverse effect to critical dunes or critical dune vegetation and any unavoidable effects will be mitigated for in accordance with the City of Port Aransas Coastal Management Plan.

Applicant: KUHN ENTERPRISES, LTD

Joe Kuhn, General Partner

Engineer: Randy Thompson P.E

P1

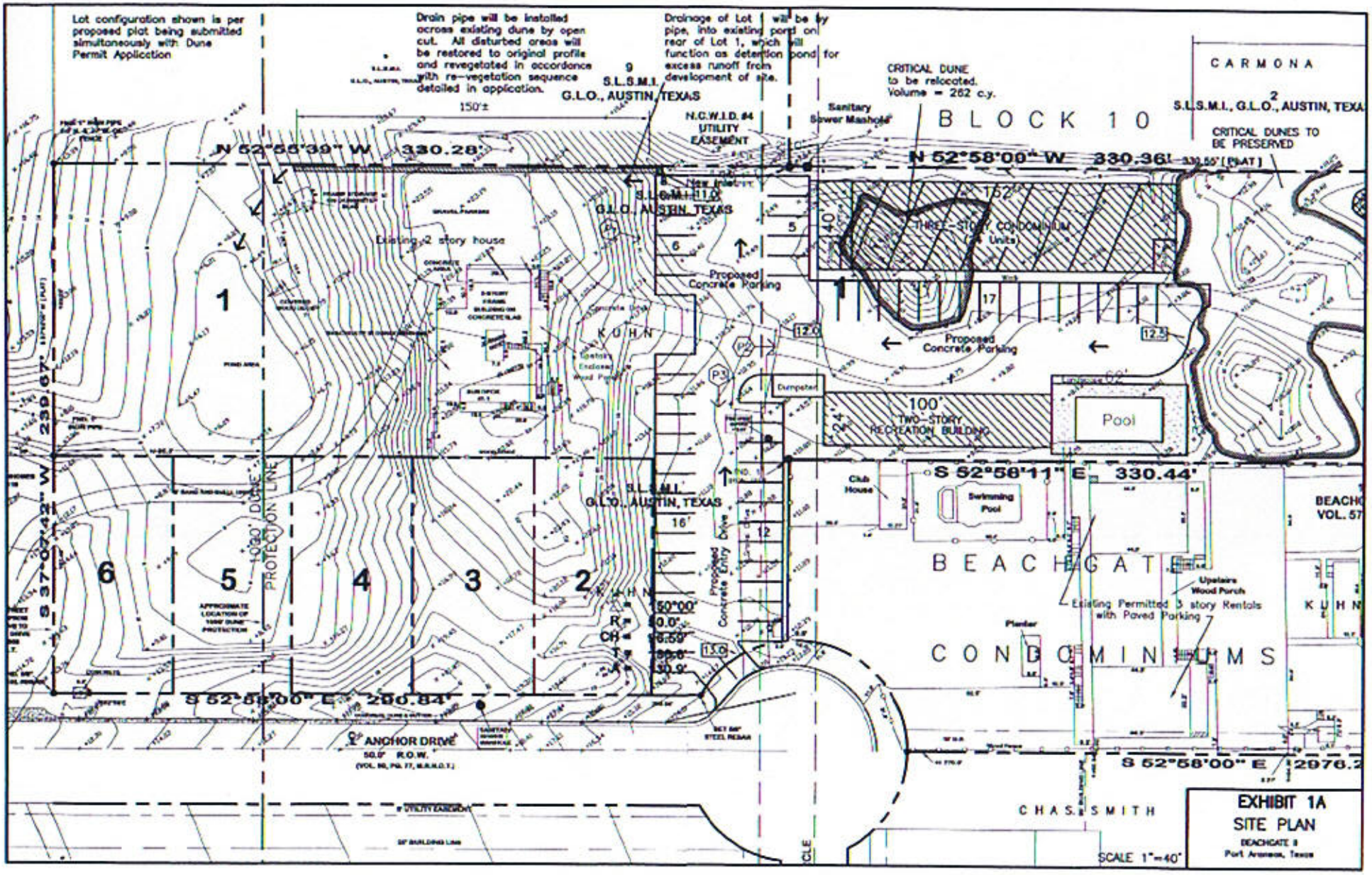
P2

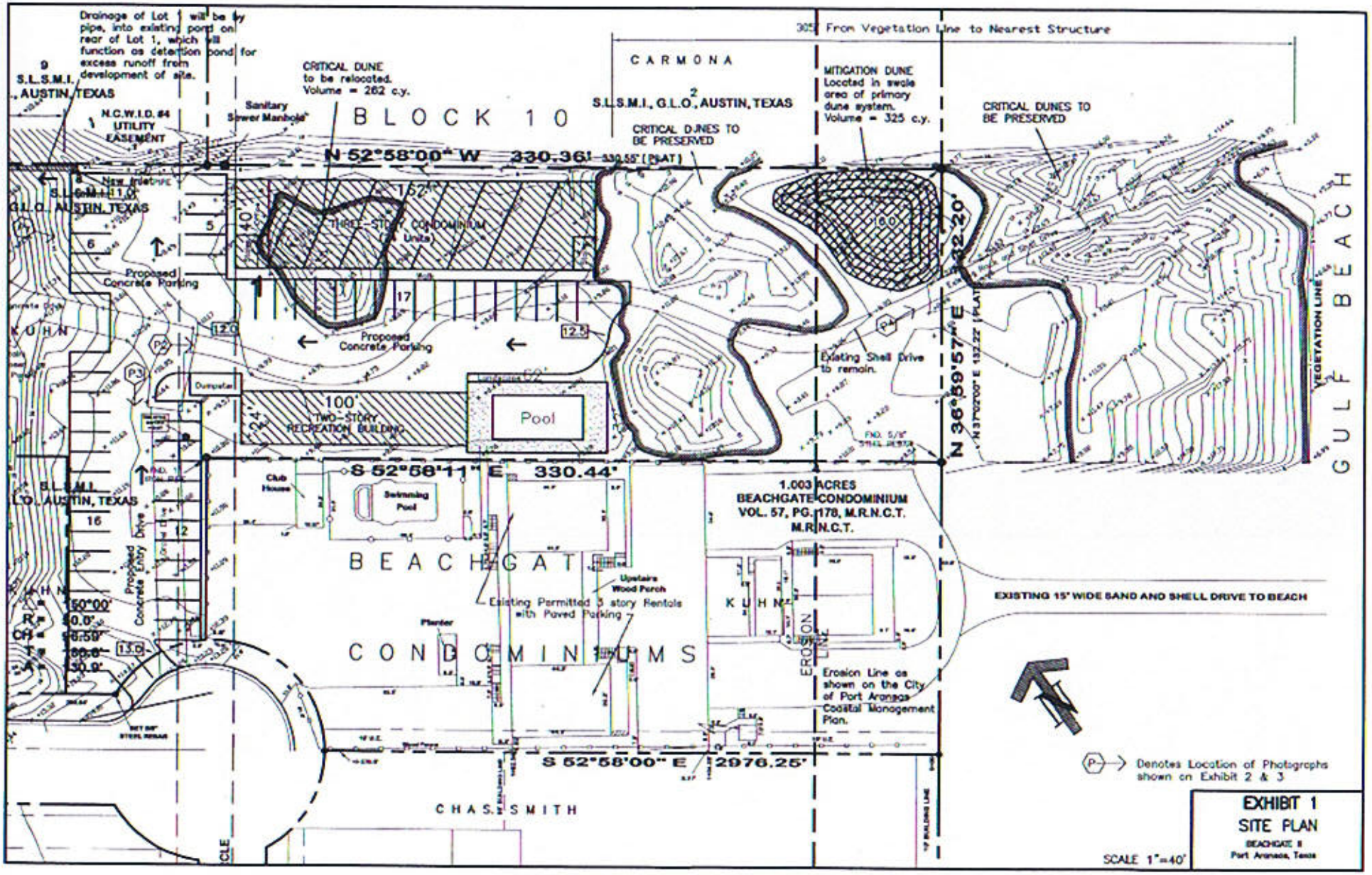
See Exhibit 1 for location of Photographs

EXHIBIT 2

SITE PHOTOGRAPHS

BEACHGATE II
Port Aransas, Texas


Lot configuration shown is per proposed plat being submitted simultaneously with Dune Permit Application
Drain pipe will be installed across existing dune by open cut. All disturbed areas will be restored to original profile and revegetated in accordance with re-vegetation sequence detailed in application.
Drainage of Lot 1 will be by pipe, into existing pond on rear of Lot 1, which will function as detention pond for excess runoff from development of site.
CRITICAL DUNE to be relocated. Volume = 262 c.y.
CARMONA
S.L.S.M.I., G.L.O., AUSTIN, TEXAS
CRITICAL DUNES TO BE PRESERVED
BLOCK 10
N 52°55'39" W 330.28'
N 52°58'00" W 330.36'
S 52°58'11" E 330.44'
S 52°58'00" E 290.84'
S 52°58'00" E 2976.2
S 37°02'42" W 239.67'
N.C.W.I.D. #4 UTILITY EASEMENT
Sanitary Sewer Manhole
Existing 2 story house
Proposed Concrete Parking
THREE-STORY CONDOMINIUM (Units)
100' TWO-STORY RECREATION BUILDING
Pool
Club House
Swimming Pool
Dumpster
KUHN
BEACHGATE
CONDOMINIUMS
Existing Permitted 3 story Rentals with Paved Parking
Upstairs Wood Porch
Planter
Proposed Concrete Entry Drive
100' DUNE PROTECTION LINE
APPROXIMATE LOCATION OF 100' DUNE PROTECTION
ANCHOR DRIVE
50.0' R.O.W.
CHAS. SMITH
SCALE 1"=40'
EXHIBIT 1A
SITE PLAN
BEACHGATE II
Port Aransas, Texas


Drainage of Lot 1 will be by pipe, into existing pond on rear of Lot 1, which will function as detention pond for excess runoff from development of site.
305' From Vegetation Line to Nearest Structure
CARMONA
S.L.S.M.I., G.L.O., AUSTIN, TEXAS
CRITICAL DUNE to be relocated. Volume = 262 c.y.
MITIGATION DUNE Located in swale area of primary dune system. Volume = 325 c.y.
CRITICAL DUNES TO BE PRESERVED
BLOCK 10
N.C.W.I.D. #4 UTILITY EASEMENT
Sanitary Sewer Manhole
N 52°58'00" W 330.36' 330.55' (PLAT)
New Inlet
THREE-STORY CONDOMINIUM (Units)
Proposed Concrete Parking
Existing Shell Drive to remain.
N 36°59'57" E 332.20'
VEGETATION LINE
GULF BEACH
KUHN
Dumpster
100' TWO-STORY RECREATION BUILDING
Pool
S 52°58'11" E 330.44'
Club House
Swimming Pool
1.003 ACRES BEACHGATE CONDOMINIUM VOL. 57, PG. 178, M.R.N.C.T. M.R.N.C.T.
EXISTING 15' WIDE SAND AND SHELL DRIVE TO BEACH
BEACHGATE
Upstairs Wood Porch
Existing Permitted 3 story Rentals with Paved Parking
Planter
CONDOMINIUMS
EROSION LINE
Erosion Line as shown on the City of Port Aransas Coastal Management Plan.
S 52°58'00" E 2976.25'
CHAS. SMITH
Denotes Location of Photographs shown on Exhibit 2 & 3
EXHIBIT 1
SITE PLAN
BEACHGATE II
Port Aransas, Texas
SCALE 1"=40'

P3

P4

See Exhibit 1 for location of Photographs

EXHIBIT 3

SITE PHOTOGRAPHS

BEACHGATE II
Port Aransas, Texas

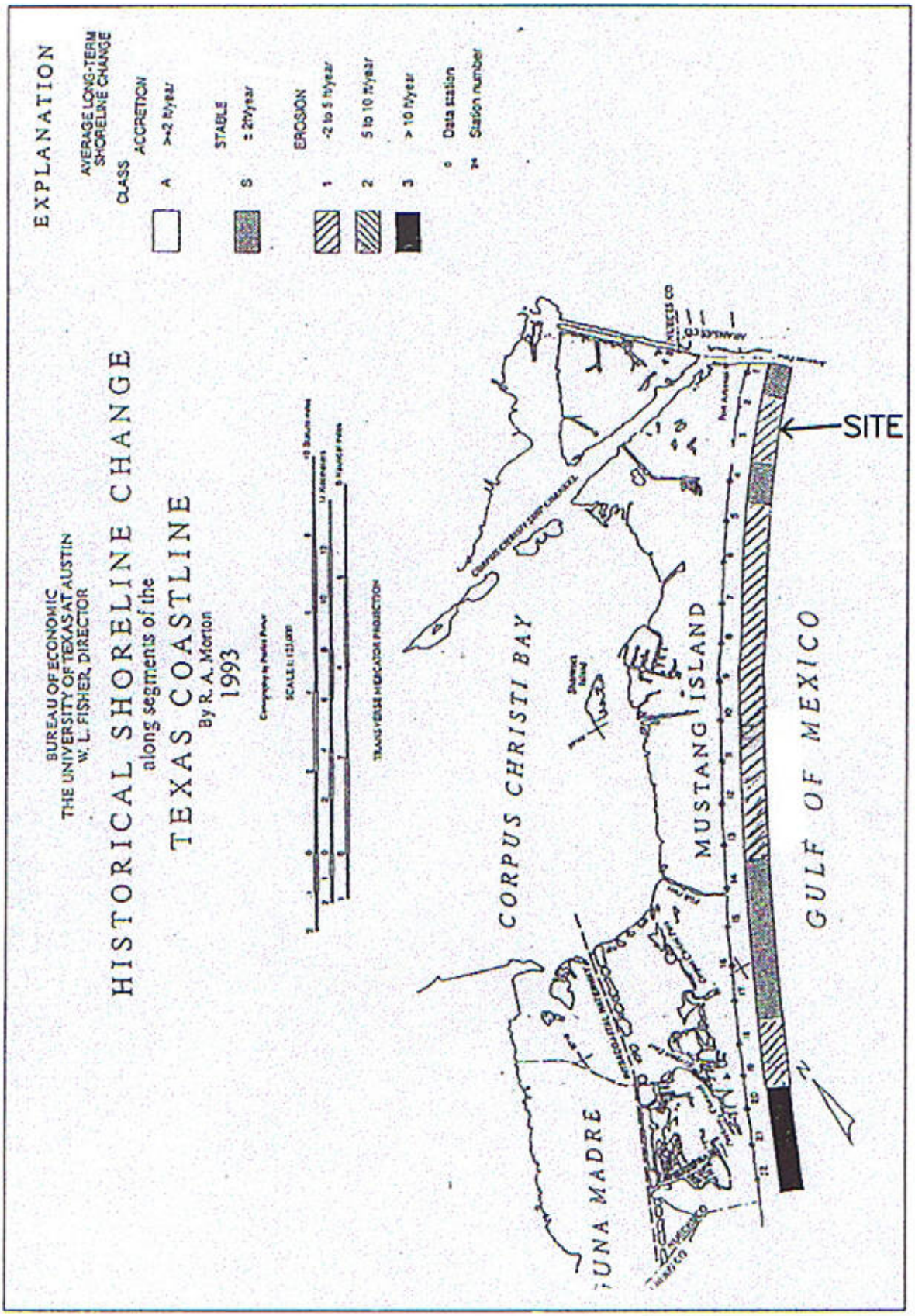


EXHIBIT 4

GEOLOGY MAP

BEACHGATE II
Port Aransas, Texas

DUNE PROTECTION PERMIT

For construction requiring a Dune Protection Permit the following items must be accomplished. Check box to indicate completion of item OR statement is true.

SECTION 1 - To be filled out by Planning and Zoning Commission.

The Planning and Zoning Commission has reviewed the application and has made the following recommendations:

Recommend Approval ✓

Recommend Disapproval _____

Signed: _____ Date: 1/26/04

Chairman, Planning & Zoning Commission

SECTION 2 - To be filled out by City Council.

[✓] The proposed activity is not a prohibited activity as defined in subsection VI.D "Prohibited Activities" of the Port Aransas Coastal Management Plan.

[✓] The proposed activity will not materially weaken critical dunes or materially damage critical dune vegetation based on the application of technical standards under subsection VI.E, "Technical Standards for Determination of Material Weakening" of the Port Aransas Coastal Management Plan.

[✓] The design of the proposed activity has incorporated the provisions for avoidance in accordance with subsection VI.F, "Requirements for Avoidance of Adverse Effects" of the Port Aransas Coastal Management Plan.

[✓] The applicant's mitigation plan will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects, as provided in subsection VI.G, "Mitigation" of the Port Aransas Coastal Management Plan.

I, GLENN MARTIN as Mayor of PORT ARANSAS is consistent with the Port Aransas Coastal Management Plan.

Signed: Glenn Martin Date: 2/19/04

Mayor

Permit # BFDP2004-3 BEACHGATE UNIT 2

PERMIT EXPIRES: 2/19/07

BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION
(SHORT FORM PASF-1)

A. General Information:

Name_____

Address_____ State Tx Zip 78373

Phone Number_____ Fax No._____

Lot & Block Lot 1 Beachgate Unit Two
(a replat of Lot 3 plus a portion of Lots 7 & 8, Block 10, State Land Surveys Mustang Island)

B. Proposed Construction:

Describe the proposed construction

40' x 162' Condominium building, 24' x 100' recreation building, pool, and parking lot with driveway

C. Location of Proposed Construction:

1) Distance from the seaward edge of the proposed improvements to line of vegetation 305 feet.

2) The location of proposed structures has been shown on a copy of Attachment #2 from the Port Aransas Coastal Management Plan and is herein attached.

D. FEMA Standards:

The lowest habitable floor of the proposed structure is 13.50 which is at or above the FEMA base flood elevation for the area.

Applicant

Dec 19, 2003
Date

ATTACHMENT #4-1

(2)

City of Port Aransas

710 W. AVENUE A
PORT ARANSAS, TEXAS 78373-4128
361-749-4111
FAX 361-749-4723
e-mail: cityportaransas@centurytel.net

March 26, 2002

J.D. Roberts ET UX
P.O. Box 116
Port Aransas, TX 78373

Dear Mr. Roberts,

According to the Coastal Management Plan for the City of Port Aransas, a dune permit is required for any type of construction within 1000 feet of Mean High Tide. The City applied for a dune permit which would authorize the City of Port Aransas to administrate the periodic cleaning and maintenance of 23 existing vehicular access points to the beach.

On March 21, 2002, the City Council approved Dune Permit # 2002-005, Vehicular Beach Access Drives in the City of Port Aransas. A copy of your driveway exhibit from Dune Permit # 2002-005 is enclosed for your files. To obtain authorization under the City's permit for clearing a designated access drive, please report any planned maintenance to the Building Department at least twenty-four (24) hours prior to work. Prior to start of work, please return a copy of the exhibit signed by the land owner, or contractor doing the work, to the City via mail, faxed to (361) 749-4723 or hand delivered. Your cooperation and assistance will be greatly appreciated. Preclusion of work before authorization shall be subject to penalties.

If you need further assistance please do not hesitate to call (361) 749-4111.

Sincerely,

CITY OF PORT ARANSAS

Harold W Palmer

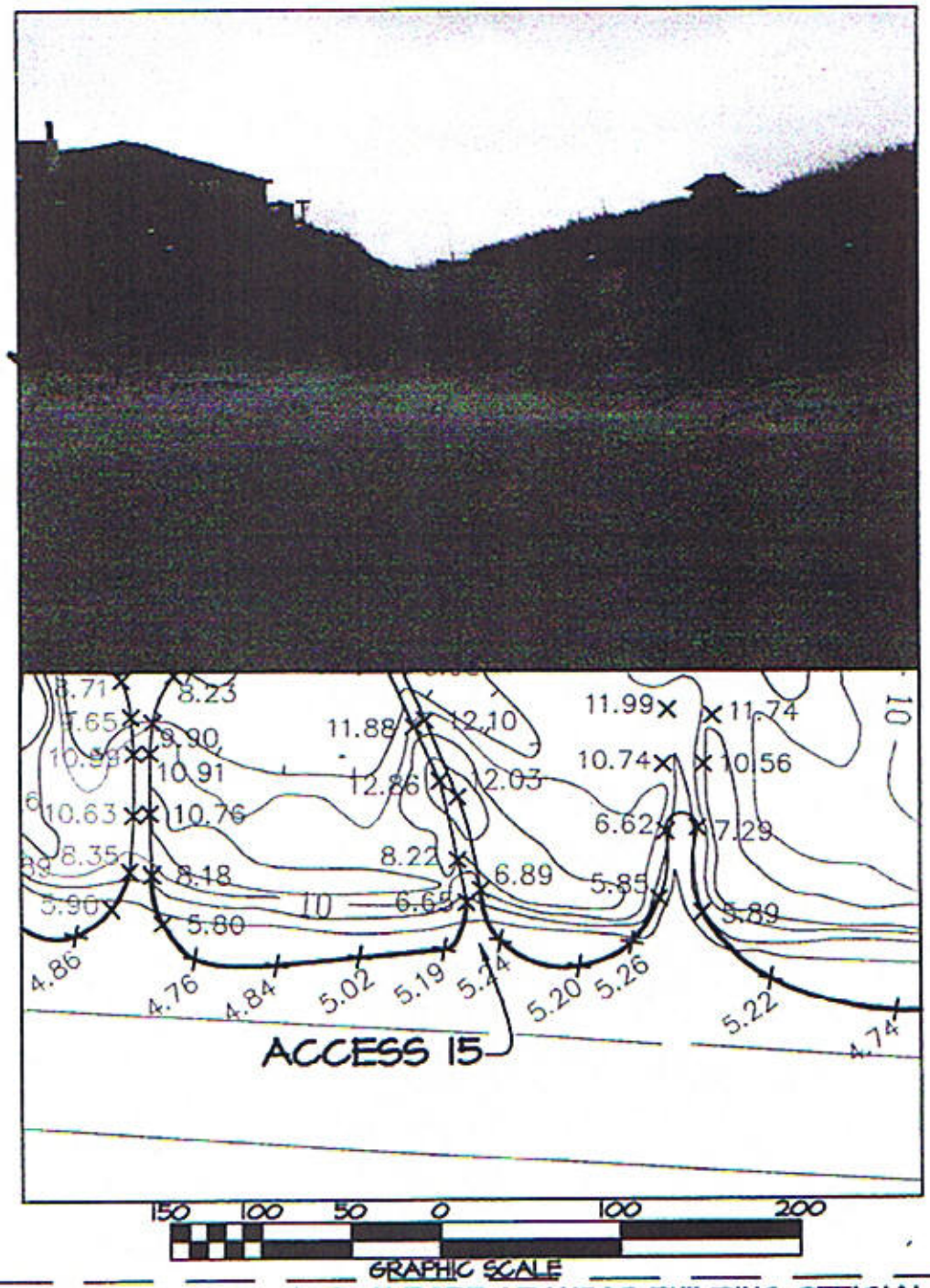
Harold Palmer
Building Official

HP/ji
Enclosure

BEACH-ACCESS # 15

(2)

PRIVATE DRIVE RESIDENCE



FOR USE BY THE CITY OF PORT ARANSAS BUILDING OFFICIAL

THE OWNER / APPLICANT HAS AUTHORIZATION TO CLEAN THE BEACH ACCESS DRIVE TO THE LIMITS DELINEATED ABOVE IN A MANNER THAT IS CONSISTENT WITH THE CITY OF PORT ARANSAS COASTAL MANAGEMENT PLAN, WITHIN 14 DAYS FROM DATE BELOW. SAND SHALL BE DISPOSED OF AT ONE OF THE FOLLOWING LOCATIONS.

- ☒ AT THE WATER'S EDGE
- ☐ FORWARD OF THE DUNES AT THE VEGETATION LINE
- ☐ AT A MITIGATION SITE SPECIFIED BY THE CITY

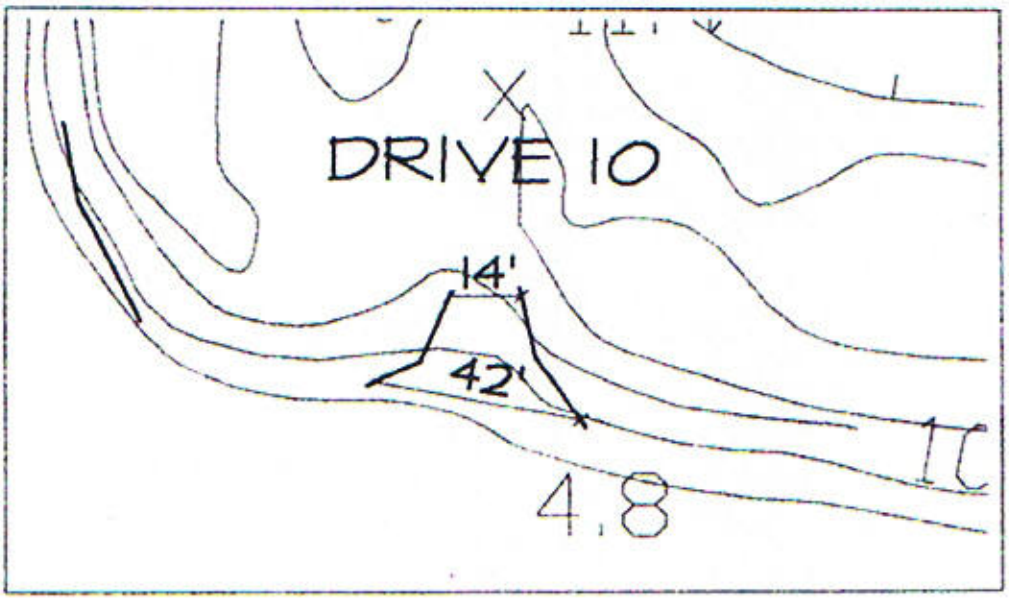
WORK AUTHORIZED ON: _____ DATE:

COMPLETED WORK CONFORMS TO PERMIT GUIDELINES _____ PORT ARANSAS BLDG. OFFICIAL

BEACH ACCESS DRIVE 10

(1)

BEACHGATE CONDOS
PRIVATE DRIVE



FOR USE BY THE CITY OF PORT ARANSAS BUILDING OFFICIAL

THE OWNER / APPLICANT HAS AUTHORIZATION TO CLEAN THE BEACH ACCESS DRIVE TO THE ABOVE DIMENSIONS IN A MANNER THAT IS CONSISTENT WITH THE CITY OF PORT ARANSAS COASTAL MANAGEMENT PLAN, WITHIN 14 DAYS FROM DATE BELOW. SAND SHALL BE DISPOSED OF AT ONE OF THE FOLLOWING LOCATIONS:

- [x] AT THE WATER'S EDGE
- [ ] FORWARD OF THE DUNES AT THE VEGETATION LINE
- [ ] AT A MITIGATION SITE SPECIFIED BY THE CITY

APPLICANT: _____
(Signature)

WORK AUTHORIZED ON _____
DATE:

COMPLETED WORK CONFORMS TO PERMIT GUIDELINES _____
PORT ARANSAS BLDG. OFFICIAL

BEACHFRONT CONSTRUCTION CERTIFICATE
(FOR PASF-1)

The following items must be accomplished. Check box to indicate completion of item or that the statement is true.

[X] The project has been located on a copy of Attachment #2 of the Coastal Management Plan and the location of the construction is not on an existing or future access easement. A drawing is herein attached.

[✓] The construction does not functionally support or depend on, or otherwise relate to, proposed or existing structures that encroach on the public beach.

[✓] The construction, if within 200 feet landward of the line of vegetation, does not include a retaining wall or improved surfaces.

[✓] The construction, is landward of the 60 year erosion line, as depicted in Attachment #2 of the Port Aransas Coastal Management Plan.

[✓] The applicant has been informed of the need to contact the City of Port Aransas for a dune permit if the construction is within 1000 feet from mean high tide.

I, JOE L. LAMB as the City of Port Aransas building inspection representative herein certify that I have reviewed the information presented above and any other information necessary to establish that the proposed construction is consistent with the City of Port Coastal Management Plan and that the proposed construction will not adversely effect the public access to and from the beach.

Signed: _____ Date: 2/19/04
Port Aransas Building Official

Certificate # BFDP2004-3 Permit Expires: 2/19/07

BEACHGATE UNIT 2