

Case No. 0622-02 Diamond Beach Holdings LLC (District 4): Ordinance rezoning a property at or near 14353 Commodores Drive from the “RS-6” Single-Family 6 District, “RS-4.5” Single-Family 4.5 District, and “CR-2” Resort Commercial District to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development Overlay. Providing for a penalty not to exceed \$2,000 and publication.

WHEREAS, with proper notice to the public, a public hearing was held during a meeting of the Planning Commission during which all interested persons were allowed to be heard;

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application for an amendment to the City of Corpus Christi’s Unified Development Code (“UDC”) and corresponding UDC Zoning Map;

WHEREAS, with proper notice to the public, a public hearing was held during a meeting of the City Council, during which all interested persons were allowed to be heard;

WHEREAS, the City Council has determined that this rezoning is not detrimental to the public health, safety, or general welfare of the City of Corpus Christi and its citizens; and

WHEREAS, the City Council finds that this rezoning will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Corpus Christi.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The Unified Development Code (“UDC”) and corresponding UDC Zoning Map of the City of Corpus Christi, Texas is amended by changing the zoning on the subject property described as 242.011 acres consisting of various tracts of Padre Island–Corpus Christi Fairway Estates, as shown in Exhibit “A”:

From the “RS-6” Single-Family 6 District, “RS-4.5” Single-Family 4.5 District, and “CR-2” Resort Commercial District to the “RS-4.5/PUD” Single-Family 4.5 District with a Planned Unit Development Overlay.

The subject property is located at or near 14353 Commodores Drive. Exhibit A, which is a metes and bounds, is attached to and incorporated in this ordinance.

SECTION 2. The Planned Unit Development Overlay granted in Section 1 of this ordinance is subject to the Owner following the conditions listed below:

- 1. Planned Unit Development Guidelines and Master Site Plan:** The Owners shall develop the Property in accordance with Whitecap Planned Unit Development (PUD) Guidelines and Master Site Plan, which is Exhibit B, and the satisfaction of all

Technical Review Committee (TRC). The PUD shall follow all right-of-way sections as designed up to and including all utilities, specifically, storm-water management and defined bioswales, and confirm access for all emergency traffic.

2. **Other Requirements:** The conditions listed herein do not preclude compliance with other applicable UDC and Building and Fire Code Requirements.
3. **Time Limit:** An approved development plan shall expire 24 months after the date that the development plan was approved, unless a complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy has been issued.

SECTION 3. To the extent this amendment to the UDC represents a deviation from the City's Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as it is amended by this ordinance.

SECTION 4. All ordinances or parts of ordinances specifically pertaining to the zoning of the subject property that are in conflict with this ordinance are hereby expressly repealed.

SECTION 5. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1 of the UDC, Article 10 of the UDC, and/or Section 1-6 of the Corpus Christi Code of Ordinances.

SECTION 6. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

SECTION 7. This ordinance shall become effective upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the ____ day of _____, 2022, by the following vote:

Paulette Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

That the foregoing ordinance was read for the second time and passed finally on this the ____ day of _____ 2022, by the following vote:

Paulette Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

PASSED AND APPROVED on this the ____ day of _____, 2022.

ATTEST:

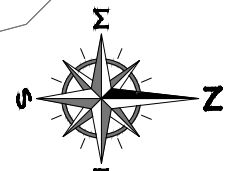
Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor

Exhibit A
Legal Description of the Property

242.011 acres being all of a 39.692 acre tract referenced and described by metes & bounds in Substitute Trustee's Deed, Doc. No. 2017050832, Official Records, Nueces County, Texas, said 39.692 acre tract being out of Tract 27C and 27D of the Padre Island – Corpus Christi Island Fairway Estates, hereafter referred to as P.I.C.C.I.F.E., Lots 27C and 27D, a map of which is recorded in Vol. 67, Pg. 779, Map Records, Nueces County, Texas; and 202.319 acres referenced in Correction Warranty Deed, Doc. No. 2018045542, Official Records, Nueces County, Texas, and described by metes & bounds of a 28.629 acre tract (Tract 1), a 72.316 acre tract (Tract 2), a 74.440 acre tract (Tract 3), and a 30.684 acre tract (Tract 4), save & except 3.749 acres, said 3.749 acres being a portion of a 60-foot wide street tract, also known as 'Aquarius Street Re-Alignment', recorded in Doc. No. 2011039226, Official Records, Nueces County, Texas; said 202.319 acres including portions of Tract 27C and 27D of P.I.C.C.I.F.E., Lots 27C and 27D, a map of which is recorded in Vol. 67, Pg. 779, Map Records, Nueces County, Texas; a portion of P.I.C.C.I.F.E., Blocks 45 & 46, a map of which is recorded in Vol. 42, Pg. 153-154, Map Records, Nueces County, Texas; a portion of P.I.C.C.I.F.E., Block 3, a map of which is recorded in Vol. 40, Pg. 145-146, Map Records, Nueces County, Texas; all of P.I.C.C.I.F.E., Blocks 37, 38, 39, and 40, a map of which is recorded in Vol. 41, Pg. 128, Map Records, Nueces County, Texas; a portion of P.I.C.C.I.F.E., Blocks 24-33, a map of which is recorded in Vol. 40, Pg. 154-159, Map Records, Nueces County, Texas; a portion of P.I.C.C.I.F.E., Blocks 43 & 44, a map of which is recorded in Vol. 42, Pg. 10-11, Map Records, Nueces County, Texas; and portions of P.I.C.C.I.F.E., Blocks 34, 35, and 36, a map of which is recorded in Vol. 40, Pg. 183-184, Map Records, Nueces County, Texas, said Blocks 26, 35, 36, 43, 44, and a portion of Block 34 now vacated as per plat recorded in Vol. 67, Pg. 688, Map Records, Nueces County, Texas.

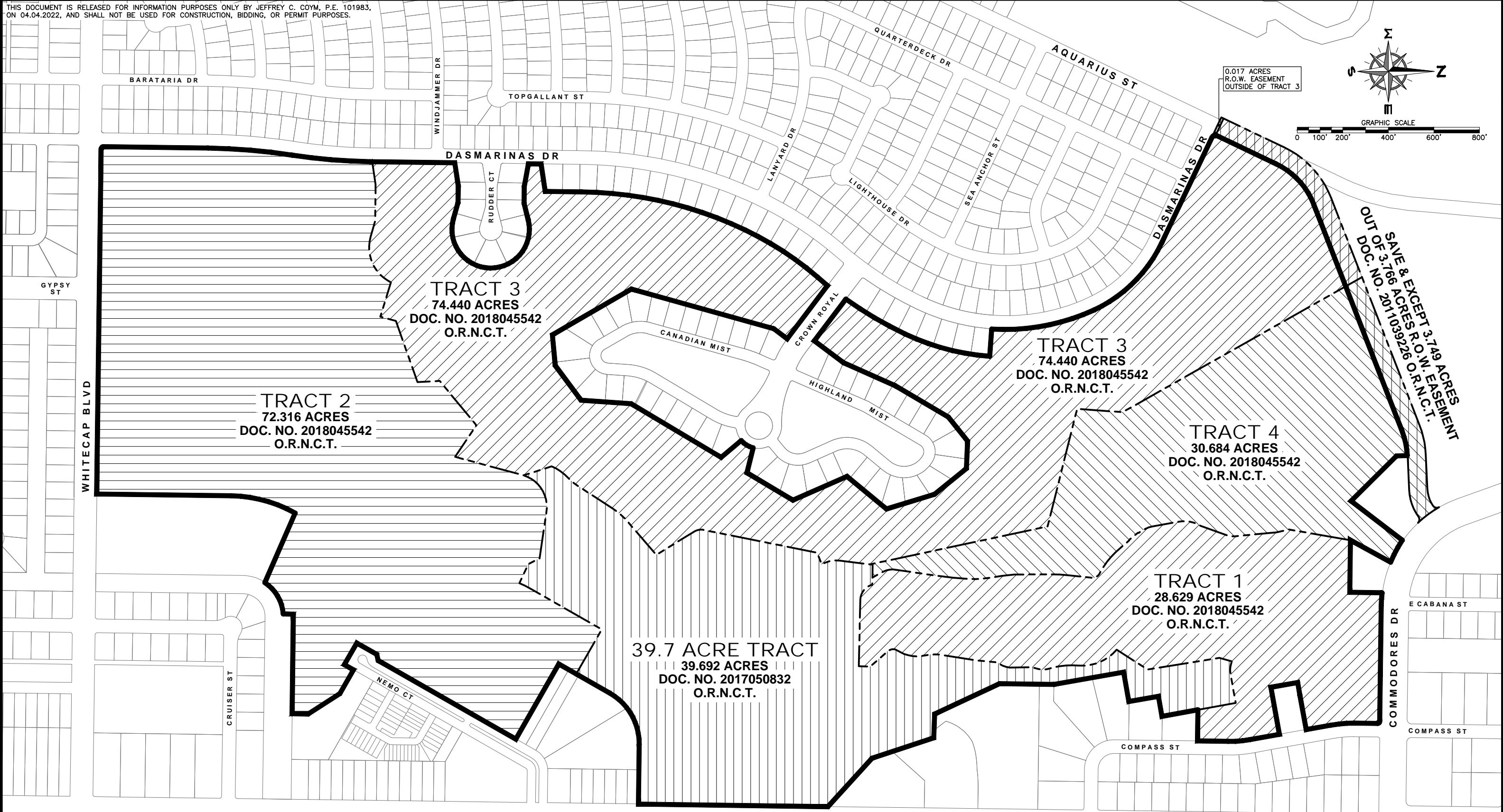
THIS DOCUMENT IS RELEASED FOR INFORMATION PURPOSES ONLY BY JEFFREY C. COYM, P.E. 101983, ON 04.04.2022, AND SHALL NOT BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.



GRAPHIC SCALE
0 100' 200' 400' 600' 800'

0.017 ACRES
R.O.W. EASEMENT
OUTSIDE OF TRACT 3

SAVE & EXCEPT 3.749 ACRES
OUT OF 3.766 ACRES R.O.W. EASEMENT
DOC. NO. 2011039226 O.R.N.C.T.



LJA
LJA ENGINEERING
TEXAS ENGINEERING FIRM F-1386
5350 S. Staples Street, Suite 425
Corpus Christi, Texas 78411
phone.361.991.8550
www.LJA.com

DIAMOND BEACH HOLDINGS
WHITECAP
NORTH PADRE ISLAND
PUBLIC IMPROVEMENT DISTRICT (PID) BOUNDARY DEPICTION
242.011 ACRES

S H 361

DATE: 10/12/2022 11:43 AM; PROJECT: DIAMOND BEACH HOLDINGS; DRAWING: WHITECAP PID BOUNDARY DEPICTION; DRAWING NO: 242.011 ACRES; DRAWING DATE: 10/12/2022; DRAWING TIME: 11:43 AM; DRAWING BY: JCC; DRAWING CHECKED BY: JCC; DRAWING APPROVED BY: JCC; DRAWING SCALE: AS SHOWN; DRAWING STATUS: FOR INFORMATION PURPOSES ONLY; DRAWING NOTES: THIS DOCUMENT IS RELEASED FOR INFORMATION PURPOSES ONLY BY JEFFREY C. COYM, P.E. 101983, ON 04.04.2022, AND SHALL NOT BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

Exhibit B
PUD Development Regulations

1. **Purpose.** The purpose of this PUD is to allow development of the Property as a waterfront single-family residential, two-family residential, multi-family residential, retail, and commercial development, including public parks and preserve, interspersed with canals and ponds.

2. **Definitions.**
 - a. Development Plan means the Development Plan attached as **Exhibit C**, which serves as this PUD's development plan and master site plan.
 - b. IDM means the City's Infrastructure Design Manual.
 - c. Lot Type Plans mean the plans attached as **Exhibit D**.
 - d. Multifamily dwelling or apartment means three or more dwelling units located on a single lot.
 - e. Parks and Open Space Plan means the plan attached as **Exhibit E**.
 - f. Phasing Plan means the conceptual phasing plan attached as **Exhibit F**.
 - g. Property means the property described on **Exhibit A**.
 - h. Roadway Plan means the roadway plan attached as **Exhibit G**.
 - i. Sector 1 means Sector 1 as identified on **Exhibit H**.
 - j. Sector 2 means Sector 2 as identified on **Exhibit H**.
 - k. Sector 3 means Sector 3 as identified on **Exhibit H**.
 - l. Short term rental means all or any portion of a dwelling unit that is rented for a period of less than 30 days, but not less than 12 hours.
 - m. Street Sections mean the street sections attached as **Exhibit I**.
 - n. UDC means the City's Unified Development Code.

3. **Applicable Regulations; Amendments.**
 - a. **Other City Ordinances.** In the event of a conflict between this ordinance and the UDC, IDM, or any other City ordinance, plan, or regulation, this ordinance shall control. No zoning overlay districts shall apply to the Property.

- b. **Base Zoning by Sectors.** **Exhibit H** illustrates the three sectors within the Property. The boundaries of each sector shown on **Exhibit H** may be increased or reduced by a maximum of 15 percent from what is shown on the original **Exhibit H** attached to this Ordinance without further city approval, provided that all other changes to the sector boundaries shown on the original **Exhibit H** shall require City Council approval, but shall not constitute a zoning amendment. Each sector is subject to a different set of regulations under this ordinance. Each sector shall be governed by a base zoning district, and to the extent not in conflict with this ordinance, the base zoning district regulations shall apply to each sector. The base zoning district applicable to each sector shall be as follows:
- i. Sector 1 shall have a base zoning district of Single-Family Residential District RS-4.5.
 - ii. Sector 2 shall have a base zoning district of Single-Family Residential District RS-4.5.
 - iii. Sector 3 shall have a base zoning district of Resort Commercial District CR-2.
- c. **Development Plan.** Development of the Property shall be generally consistent with the Development Plan. The Development Plan shall not expire. Minor changes to the road alignments shown on the Development Plan are permitted without City approval.
- d. **Phasing.** The Phasing Plan is attached for informational purposes only and is not binding on the development.
- e. **Lot Type Plans.** The Lot Type Plans are attached to show building placement for illustrative purposes only. The Lot Type Plans are not binding on the development with the exception of showing the required placement of parking spaces between a residence and sidewalk.
- f. **Parks and Open Space Plan.** Parks and open space areas shall be provided as generally shown on the Parks and Open Space Plan, which requires that at least 30% of the Property shall be used for parks and open space. Parks and open space shall be provided in phases as portions of the Property are final platted adjacent to parks and open space areas shown on the Parks and Open Space Plan. All parks and open space shall be predominantly unoccupied by buildings or other impervious surfaces, and a maximum of 10% of parks and open space areas designated on a final plat at the time of full buildout, measured in the aggregate, may be occupied by buildings or impervious surfaces. No parks or open space requirements shall apply other than the requirements in this Ordinance, including, but not limited to, requirements for open space set forth in base zoning district regulations. The parkland required to be provided by the Parks and Open Space Plans shall be deemed to satisfy all requirements for the dedication of parkland in any other ordinance of the City.

- g. **Roadway Plan and Street Sections.** Development shall be generally consistent with the Roadway Plan. Streets (including on-street parking, landscaping, and other right-of-way features) may be designed as shown on the Street Sections.
 - h. **Short Term Rental Regulations.** All permitted residential uses shall be permitted to be rented as short term rentals except in the hatched areas prohibited as shown on the Sector Plan on **Exhibit H.** Short term rentals shall be subject to the requirements of Ordinance No. 032642 adopted on January 11, 2022. No other City regulations for short term rentals shall apply to the Property, including, but not limited to, Section 5.2.24 of the UDC.
 - i. **Applications for Amendments.** An application for an amendment to this ordinance for a portion of the Property is required to be signed by the owner of the portion of the Property that is the subject of the application, and is not required to be signed by the other owners of land within the PUD.
4. **Sector 1.** The following regulations apply to Sector 1:
- a. **Sector 1 Permitted Uses.** The following uses are permitted by right in Sector 1, as well as all uses that are accessory to a permitted use:
 - i. Single-Family Residential
 - 1. Single family detached residence (subject to any of the single family the development standards in the table below)
 - 2. Zero lot line house (subject to any of the single family development standards in the table below except one side yard may have a zero setback providing there is at least 10 feet between buildings on neighboring lots)
 - ii. Community Service Uses
 - 1. Community Center (may include, but is not limited to, a pool, clubhouse, kayak launch and storage)
 - 2. Indoor and Outdoor Recreation and Athletic Facility
 - 3. Meeting Area
 - 4. Associated Office
 - iii. Educational Facilities
 - 1. Public and Private Primary, Elementary, Middle, Junior High, or High School Level Nature Preserve Learning Center
 - 2. Non-Profit Nature Preserve Learning Center
 - 3. Nature Preserve Adult Education Program
 - 4. Associated Office
 - iv. Parks and Open Space
 - b. **Sector 1 Development Standards.** The following development standards apply to Sector 1, and shall be the exclusive lot size, density, setback, height, lot coverage, and open space requirements applicable to Sector 1. Nonresidential uses shall be

developed in accordance with any of the single family development standards in the table below.

Development Standard	UDC & IDM**	PUD Single Family Residential Lot Types			
	RS-4.5	Standard	Medium	Large	Estate
Minimum Lot Area (sf) [UDC 4.3.3]	4500	4500	5500	6500	8400
Minimum Lot Width (ft) [UDC 4.3.3]	45	45	55	65	70
Minimum Front Yard – Water Oriented (ft) [UDC 4.2.11]	10*	10*	10*	10*	10*
Minimum Side Yard (ft) [UDC 4.3.3]	5	5	5	5	5
Minimum Side Yard, Corner, Back-to-Back (ft) [UDC 4.2.10]	10	10	10	10	10
Minimum Side Yard, Corner, Side-to-Front (ft) [UDC 4.2.10]	= Front	10	10	10	10
Minimum Rear Yard – Dry Lot (ft) [UDC 4.3.3]	5	5	5	5	5
Minimum Rear Yard – Water Lot (ft) [UDC 4.3.3]	5	15	15	15	15
Maximum Height (ft) [UDC 4.3.3]	35	48	48	48	48
Maximum Lot Coverage	N/A	No limit	No limit	No limit	No limit
ROW Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	50	46	46	46	46
Minimum Street Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	28	22	22	22	22
Curb Type [IDM 6.2.5.b]	6” Std. C&G	Not required	Not required	Not required	Not required
Minimum Sidewalk Width (ft) [UDC 8.2.1.B;	4	4	4	4	4

*Front Yard of 10-ft shall be noted on the recorded plats, further noting that private garages, detached or attached, shall maintain a yard of 15-ft from garage entrance to street right-of-way.

**This column is provided for comparison purposes only.

An accessory structure located on waterfront property shall be set back a minimum of 20 feet from the mean highwater line except for the landward portion of a permitted dock, a boat house that is accessory to a permitted boat dock or marina, a pool and pool equipment, and an outdoor kitchen that does not require utility connection.

5. **Sector 2.** The following regulations apply to Sector 2:

a. **Sector 2 Permitted Uses.** The following uses are permitted by right in Sector 2, as well as all uses that are accessory to a permitted use:

i. Single-Family Residential

1. Single family detached residence (subject to the single family development standards in the table below)

2. Zero lot line house (subject to the single family development standards in the table below except one side yard may have a zero setback providing there is at least 10 feet between buildings on neighboring lots)
 3. Traditional house (subject to the single family development standards in the table below except the home may have a detached garage with a zero rear setback and the lot shall have alley access)
 4. Townhouse (subject to the single family development standards in the table below except that, in addition to how townhomes are defined in the UDC, townhomes may also include a structure with two attached single-family units with abutting side walls that are platted on separate lots with each unit sold separately)
- ii. Community Service Uses
 1. Community Center (may include, but is not limited to, a pool, clubhouse, kayak launch and storage)
 2. Associated Office
 3. Indoor and Outdoor Recreation and Athletic Facility
 4. Meeting Area
 - iii. Educational Facilities
 1. Public and Private Primary, Elementary, Middle, Junior High, or High School Level Nature Preserve Learning Center
 2. Non-Profit Nature Preserve Learning Center
 3. Nature Preserve Adult Education Program
 4. Associated Office
 - iv. Parks and Open Space

b. **Sector 2 Development Standards.** The following development standards apply to Sector 2, and shall be the exclusive lot size, density, setback, height, lot coverage, and open space requirements applicable to Sector 2:

Development Standard	UDC & IDM**	PUD
	RS-4.5	All Uses
Minimum Lot Area (sf) [UDC 4.3.3]	4500	2450
Minimum Lot Width (ft) [UDC 4.3.3]	45	35
Minimum Front Yard – Water Oriented (ft) [UDC 4.2.11]	10*	10*
Minimum Side Yard (ft) [UDC 4.3.3]	5	5
Minimum Side Yard, Corner, Back-to-Back (ft) [UDC 4.2.10]	10	10
Minimum Side Yard, Corner, Side-to-Front (ft) [UDC 4.2.10]	= Front	10
Minimum Rear Yard – Dry Lot (ft) [UDC 4.3.3]	5	5
Minimum Rear Yard – Water Lot (ft) [UDC 4.3.3]	5	15
Maximum Height (ft) [UDC 4.3.3]	35	48
Maximum Lot Coverage	N/A	No limit
ROW Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	50	46
Minimum Street Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	28	22
Curb Type [IDM 6.2.5.b]	6” Std. C&G	Not required
Minimum Sidewalk Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	4	4

*Front Yard of 10-ft shall be noted on the recorded plats, further noting that private garages, detached or attached, shall maintain a yard of 15-ft from garage entrance to street right-of-way (excluding a traditional house, which may have a zero rear setback from the alley).

**This column is provided for comparison purposes only.

An accessory structure located on waterfront property shall be set back a minimum of 20 feet from the mean highwater line except for the landward portion of a permitted dock, a boat house that is accessory to a permitted boat dock or marina, a pool and pool equipment, and an outdoor kitchen that does not require utility connection.

6. **Sector 3.** The following regulations apply to Sector 3:

a. **Sector 3 Permitted Uses.** The following uses are permitted by right in Sector 3, as well as all uses that are accessory to a permitted use:

- i. Residential
 1. Caretaker Quarters (subject to the development standards for residential uses in Sector 3 in the table below)
 2. Townhouse (subject to the development standards applicable to townhouses in Sector 3)
 3. Multifamily dwellings (subject to the development standards for residential uses in Sector 3 in the table below) (includes, but is not limited to, multifamily dwellings above nonresidential uses)
- ii. Day Care Uses
 1. Adult Day Care Facility
 2. Commercial Day Care
 3. Day Care Facility
 4. Nursery School
 5. Pre-School
 6. Day Care Accessory Uses
- iii. Community Service Uses
 1. Aquarium
 2. Art Gallery
 3. Community Center (may include, but is not limited to, a pool, clubhouse, kayak launch and storage)
 4. Library
 5. Museum
 6. Philanthropic Institution
 7. Senior Centers
 8. Youth Club Facilities
 9. Community Service Accessory Uses
- iv. Educational Facilities
 1. Public and Private Primary, Elementary, Middle, Junior High, or High School Level
 2. Non-Profit Dance, Art, Gymnastic, Music Studios or Classes
 3. Educational Facility Accessory Uses
- v. Parks and Open Space
- vi. Place of Worship Uses

1. Church
2. Mosque
3. Synagogue
4. Temple
5. Place of Worship Accessory Uses
- vii. Commercial Parking Uses
 1. Commercial Parking Garage
 2. Commercial Parking Lot
 3. Commercial Parking Accessory Uses
 4. Golf Cart Parking
- viii. Indoor Recreation Uses
 1. Auditorium
 2. Bar, Tavern, and Pub
 3. Exposition Building
 4. Indoor Entertainment Activities
 - a. Billiard Hall
 - b. Bowling Alley
 - c. Pool Hall
 - d. Dance Hall
 - e. Movie Theater
 - f. Other Theater
 5. Recreation Accessory Uses
 6. Membership Club or Lodge
 7. Natatorium
 8. Spa
 9. Fitness facility
- ix. Indoor Office Uses
 1. Advertising
 2. Business Management Consulting
 3. Counseling in an Office Setting
 4. Data Processing
 5. Financial Businesses including, but not limited to, the following:
 - a. Investment or Brokerage House
 - b. Collection Agency
 - c. Real Estate and Insurance Agents
 6. Professional Services including, but not limited to, the following:
 - a. Lawyer
 - b. Accountant
 - c. Bookkeeper
 - d. Engineer
 - e. Architect
 7. Sales Office
 8. Travel Agency
 9. TV and Radio Studio
 10. Utility Office
 11. Office Accessory Uses

- x. Outdoor Recreation Uses
 - 1. Amusement Park
 - 2. Athletic Field/Recreation Field
 - 3. Batting Cage
 - 4. Campground
 - 5. Commercial Amphitheater
 - 6. Swimming Pool
 - 7. Tennis Court
 - 8. Drive-In Theater
 - 9. Go Kart Track
 - 10. Golf Driving Range
 - 11. Live music
 - 12. Miniature Golf Facility
 - 13. Skate Park
 - 14. Water Park
 - 15. Outdoor Recreation Accessory Uses
- xi. Overnight Accommodation Uses
 - 1. Bed and Breakfast Home
 - 2. Bed and Breakfast Inn
 - 3. Extended-Stay Facilities
 - 4. Hotel
 - 5. Motel
 - 6. Recreational Vehicle Park
- xii. Restaurant Uses
 - 1. Catering Establishment, Small-Scale
 - 2. Fast-Food Restaurant
 - 3. Outdoor Vendors with Permanent Facility
 - 4. Pizza Delivery Establishment
 - 5. Restaurant
 - 6. Yogurt or Ice Cream Shop
 - 7. Food Trucks
 - 8. Restaurant Accessory Uses
- xiii. Retail Sales and Services Uses
 - 1. General Retail or Service Uses (no minimum or maximum size, and no limit on type of retail or service use), including all accessory uses
 - 2. Farmers Market¹
 - 3. Plant Nursery
 - 4. Service-Oriented
 - a. Animal Grooming

¹ A farmers market shall be subject to the following restrictions in lieu of Section 5.2.9 of the UDC: (a) the farmers market area shall not encroach upon minimum yards, minimum parking area, or fire lanes; (b) this use shall not require parking; (c) this use may be located entirely outdoors, in a covered open air structure, or in an enclosed building; (d) restroom facilities shall be available for employees and customers within 300 feet of a farmers market, but not necessarily on the same platted lot; and (e) no demonstrations of processing of non-animal products may be conducted onsite. No special event permit, temporary use permit, or similar permit is required to operate a farmers market. This use may be a temporary periodic use or a permanent use.

- b. Animal Hospital
- c. Athletic or Health Club
- d. Bank or Loan Establishment
- e. Barbershop
- f. Beauty Shop
- g. Business, Driving, Martial Arts, Trade, and Other Commercial Schools
- h. Cleaning Shop Not Involving Bulk or Commercial Type Plants
- i. Dance, Art, Gymnastic or Music Studios or Classes
- j. Dry Cleaning and Laundry Drop-Off Establishments
- k. Hair, Nail, Tanning, and Other Similar Personal Care Services
- l. Massage Therapy
- m. Messenger Service
- n. Newspaper or Telegraphic Service
- o. Parcel Service
- p. Photocopy, Blueprint, and Quick-Sign Services
- q. Security Services
- r. Studio for an Artist, Photographer, Sculptor, or Musician
- s. Tattoo parlor
- t. Teaching of Art, Music, Dancing, or Other Artistic Instruction
- u. Urgent Care or Emergency Medical Offices
- v. Veterinarian
- 5. Repair-Oriented
 - a. Locksmith
 - b. Repair of Appliances, Bicycles, Canvas Products, Clocks, Computers, Guns, Furniture, Jewelry, Musical Instruments, Office Equipment, Radios, Shoes, Small Engines Under 5 hp, Televisions, and Watches
 - c. Plumbing, Heating, Electrical and Air Conditioning Sales and Repair
 - d. Tailors, Milliners, and Upholsterers
- xiv. Self-Service Storage Uses
 - 1. Boat and Recreational Vehicle Storage
 - 2. Self-Service Storage Accessory Uses
- xv. Vehicle Sales and Service Uses
 - 1. Auto Rental
 - 2. Bicycle and Watercraft Rental
 - 3. Boat and Recreational Vehicle Sales
- xvi. Water-Oriented Uses
 - 1. Boathouse
 - 2. Boat Livery
 - 3. Boat Ramp, Tandem
 - 4. Dock or Pier, Commercial

5. Dry Storage of Boats
6. Ferry/Water Taxi
7. Marina
8. Wet Storage of Boats, Commercial
9. Water-Oriented Accessory Uses
 - a. Fuel Storage, Above Ground
 - b. Fuel Pump and Island
 - c. Selling, Leasing or Rental of Covered or Uncovered Boat Slips or Dock Space, Dry Storage Space, Boats and Boat Motors, Marine Fuel and Lubricants, Bait and Fishing Equipment
 - d. Repair and Maintenance of Boats and Boat Motors
 - e. On-Shore Restaurants
 - f. Small Boat Hauling or Launching Facilities

b. **Sector 3 Development Standards.** The following development standards apply to Sector 3, and shall be the exclusive lot size, density, setback, height, lot coverage, and open space requirements applicable to Sector 3:

Development Standards	Residential Uses	Nonresidential Uses
Maximum Density (units/acre) [UDC 4.5.3, 4.5.4]	44 (varies if mid rise)	4.0 floor to area ratio (FAR)
Minimum Lot Area (sf) [UDC 4.5.3, 4.5.4]	6000	N/A
Minimum Lot Width (ft) [UDC 4.5.3, 4.5.4]	50	N/A
Minimum Street Yard (Front) – Water Oriented (ft) [UDC	10*	10*
Minimum Street Yard (Corner) – Water Oriented (ft) [UDC	10*	10*
Minimum Side Yard (Single) (ft) [UDC 4.5.3, 4.5.4]	10	0
Minimum Side Yard (Total) (ft) [UDC 4.5.3, 4.5.4]	20	0
Minimum Rear Yard (ft) [UDC 4.5.3, 4.5.4]	10	0
Minimum Side & Rear Adj. to Residential [UDC 4.2.8.C]	Height x 2**	Height x 2**
Maximum Height (ft) [UDC 4.4.3]	150 feet and 10 stories	150 feet and 10 stories
Maximum Lot Coverage	None	None
ROW Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	50	50
Minimum Street Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	28	28
Curb Type [IDM 6.2.5.b]	Not required	Not required
Minimum Sidewalk Width (ft) [UDC 8.2.1.B; IDM 6.2.2]	4	4

*Front Yard of 10-ft shall be noted on the recorded plats, further noting that private garages, detached or attached, shall maintain a yard of 20-ft from garage entrance to street right-of-way per UDC 4.2.11.

** No multi family or nonresidential structure shall be located nearer any property line adjacent to a single-family use or two-family use located outside of the PUD than a horizontal distance of twice the vertical height of the structure. This height setback requirement is not applied from single-family use or two-family uses located within the PUD.

An accessory structure located on waterfront property shall be set back a minimum of 20 feet from the mean highwater line except for the landward portion of a permitted dock, a boat house that is

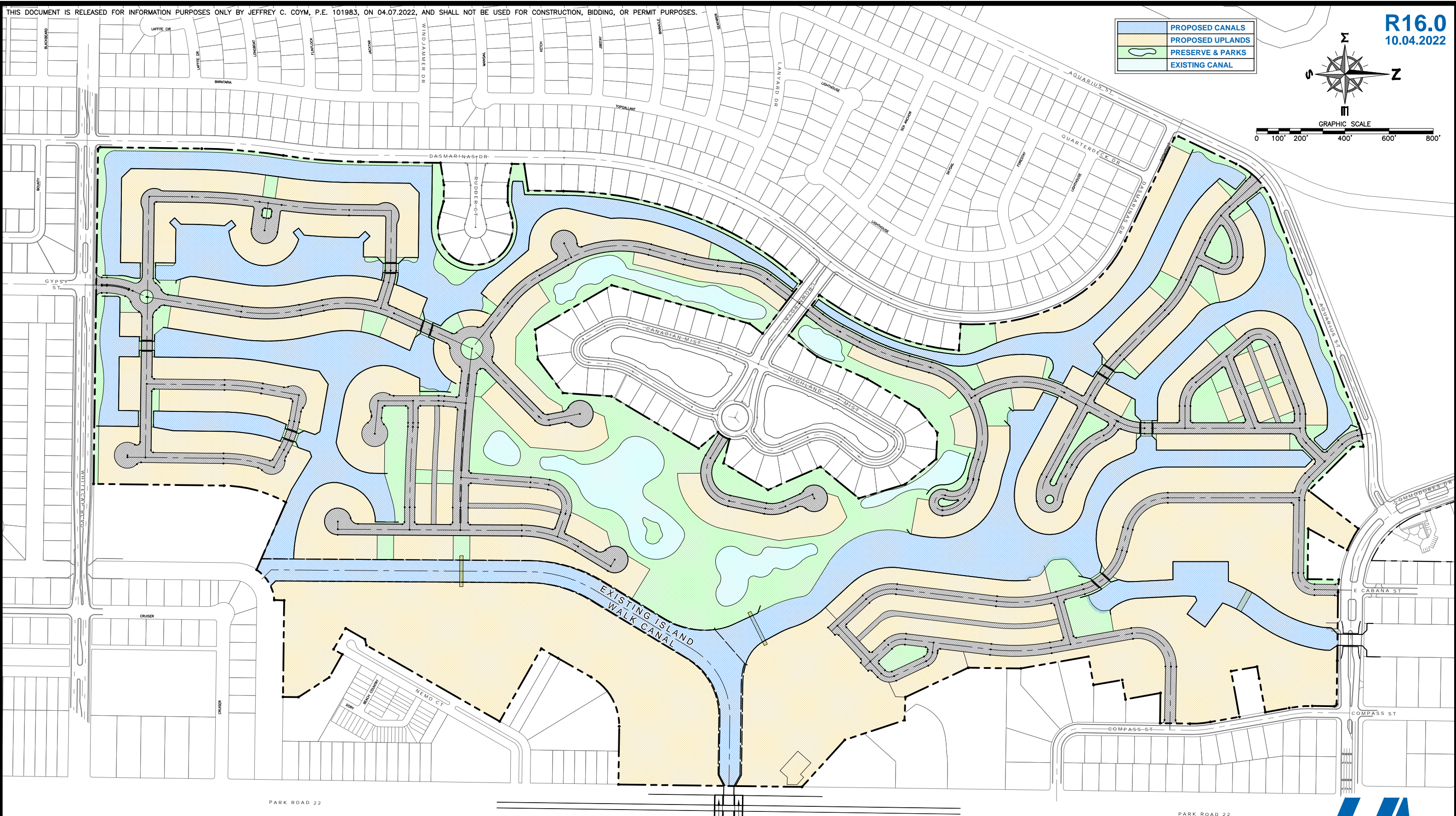
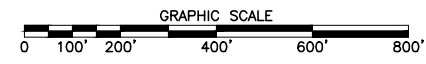
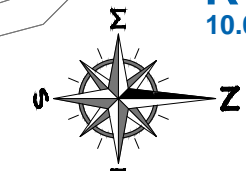
accessory to a permitted boat dock or marina, a pool and pool equipment, and an outdoor kitchen that does not require utility connection.

7. **Regulations Applicable to All Sectors.** The following regulations apply to all three sectors:
- a. All building materials and roofing materials shall be regulated exclusively through private deed restrictions imposed by the master developer.
 - b. A homeowners and/or property owners association will be created for the Property, and will be responsible for maintaining all parkland and open space areas designated on final plats. If a public improvement district is created over the Property and maintenance assessments are collected, those assessments may fund some or all of the costs of maintaining public parkland and open space areas, as well as PID-qualified infrastructure, designated on final plats. All improvements within parkland and open space areas shall be completed by the developer. Because the City will have no parkland maintenance responsibility or park improvement obligations within the Property, all park fees of any kind are waived for this project.
 - c. All required sidewalks generally shall be within the street right-of-way (unless otherwise approved) and shall extend along one side of each street, including the side of corner lots and block ends. To maintain design flexibility, sidewalks are not required to be a specific distance from the property line.
 - d. Parks and open space areas may include improvements customarily found in a park or open space area, including, but not limited to a botanical garden, a nature preserve, park pavilions, dog park, plazas, playgrounds, recreational trails, reservoirs, boardwalks, boat docks, maintenance facilities, play equipment, aviary facilities, swimming pools, splash pad, splash pool, athletic fields/recreation fields, pickle ball, kayak storage and launch areas, animal husbandry, and off-street parking and other accessory uses. A country club is permitted as a park or open space use in Sector 3.
 - e. The cumulative area of any impermeable surface area located in the required street yard, shall not exceed 50% of the area of the required street yard, except that this requirement shall not apply to lots that are 40 feet or less in width at the building line.
 - f. More than one principal structure is permitted on a lot with a multifamily use, nonresidential use, or mix of uses.
 - g. The following features may be located within a required yard subject to visibility triangle and Section 4.2.9 of the UDC:
 - i. Docks and boathouses
 - ii. Landscape features and irrigation

- iii. Open, unobstructed, unenclosed porches, decks or patios that do not extend above the level of the first floor of the building and that do not extend or project into the front or side yard more than six feet
 - iv. Sidewalks
 - v. Fences and walls
 - vi. Minor utilities as described in Subsection 5.1.3.I of the UDC
 - vii. Mechanical equipment such as air conditioning units, pool pumps and similar equipment, which shall be set back a minimum of 3 feet from a street yard or side or rear lot line
 - viii. Sills, belt courses, cornices, buttresses, chimneys, flues, eaves and other architectural features that do not extend more than 24 inches into any required yard, which must comply with the International Residential Code
 - ix. Other similar structures or improvements.
- h. All residential uses other than multifamily shall require a minimum of two parking spaces, which may or may not be enclosed or covered, except that only one such parking space shall be required for a lot that is less than 45 feet in width. The following minimum parking requirement shall apply to a multifamily use: 1 bedroom – 1 ½ per unit, plus 1 per 5 units labeled for visitors, located in proximity to each building; more than 1 bedroom - 2 per unit, plus 1 per 5 units labeled for visitors, located in proximity to each building; however, no multifamily development shall require, in the aggregate, a number of parking spaces that exceeds 1.5 spaces per unit.
- i. In addition to all other permitted uses, the following temporary uses are permitted on the Property in connection with ongoing construction on or development of the Property: model homes, construction, real estate, or marketing offices including in temporary trailers, outdoor storage of construction materials, a tree nursery, construction fencing, and an asphalt or concrete batch plant.
- j. The Director of the City's Planning Department may approve alternative design standards for street lights, bollard lighting, and lighting on buildings that promote public safety.

Exhibit C
Development Plan

	PROPOSED CANALS
	PROPOSED UPLANDS
	PRESERVE & PARKS
	EXISTING CANAL



LJAC - NAME: I:\CLIENTS\DIAMOND_BEACH_HOLDINGS_LLC - 9845_V1143 - Waves_Resort\CAD\BIM\Whitecap_R16.dwg - TAB: EUD_DevPlan - dptlerson - Wed, Oct 12, 2022 @ 8:14 am

PARK ROAD 22

PARK ROAD 22



DIAMOND BEACH HOLDINGS WHITECAP NORTH PADRE ISLAND DEVELOPMENT PLAN

PROVIDE CONNECTIONS TO
36-FT PED/CART PATHS UNDER
BRIDGE BOTH SIDES OF CANAL

THE LAYOUT SHOWN IS PRELIMINARY, NON-BINDING AND IS RELEASED
FOR PLANNING PURPOSES ONLY. PROPOSED STREET, CANAL, LAND,
AND INFRASTRUCTURE FEATURES SHOWN ARE SUBJECT TO CHANGE.



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TBPE FIRM REG. NO. F-1386



CROWNEST (NOT OPEN)

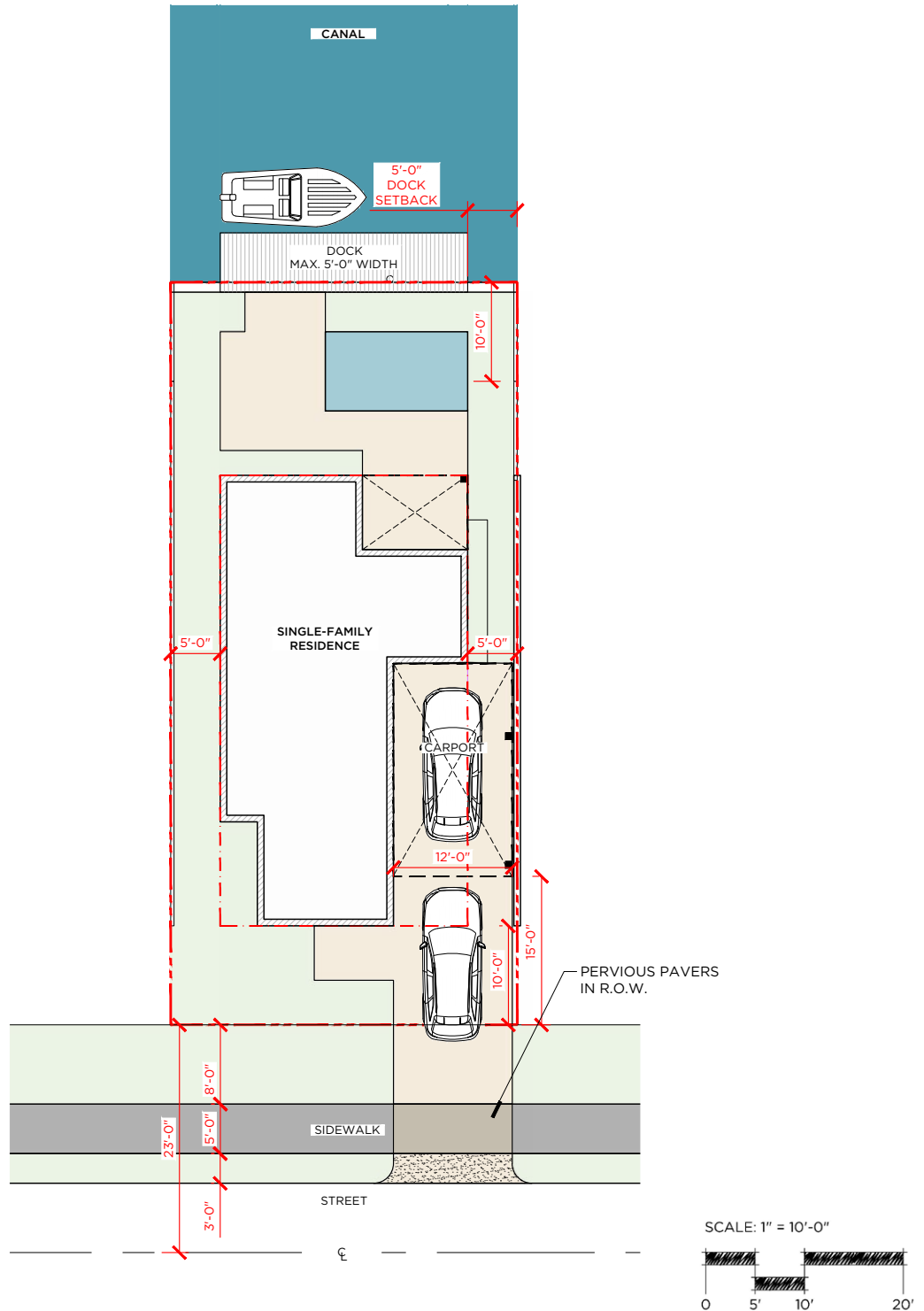
CROWNEST (NOT OPEN)

Exhibit D
Lot Type Plans

VILLA LOT - 35' X 75'

TOTAL LOT SIZE = 2,625 SF

The layout shown is preliminary, non-binding, and is released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.



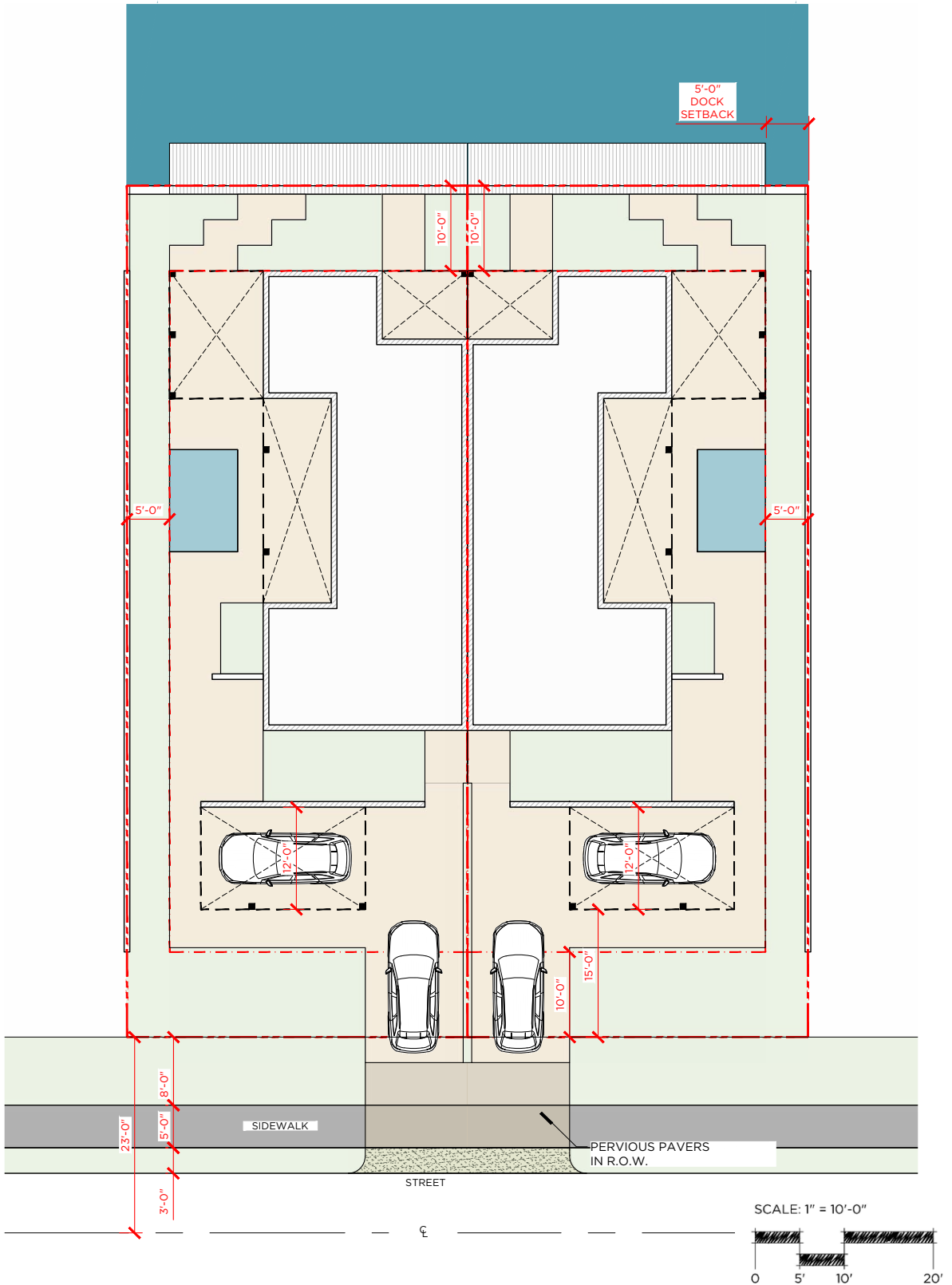
LOT TYPES PLAN

Whitecap Preserve | PUD Exhibits | 04.12.2022

ATTACHED LOTS - 35' X 75'

TOTAL LOT SIZE = 2,625 SF

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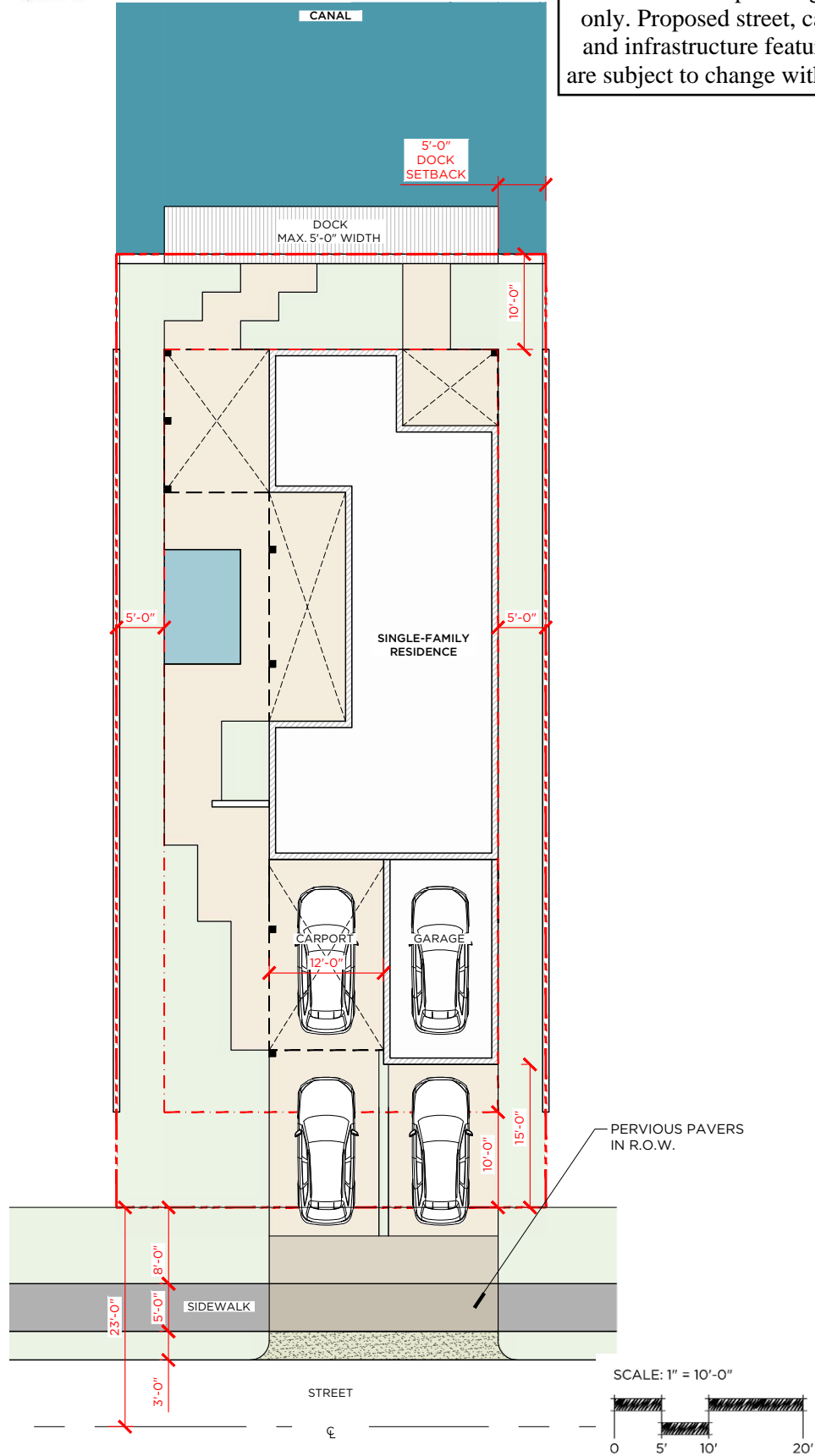
LOT TYPES PLAN

Whitecap Preserve | PUD Exhibits | 04.12.2022

STANDARD LOT - 45' X 100'

TOTAL LOT SIZE = 4,500 SF

The layout shown is preliminary, non-binding, and is released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.



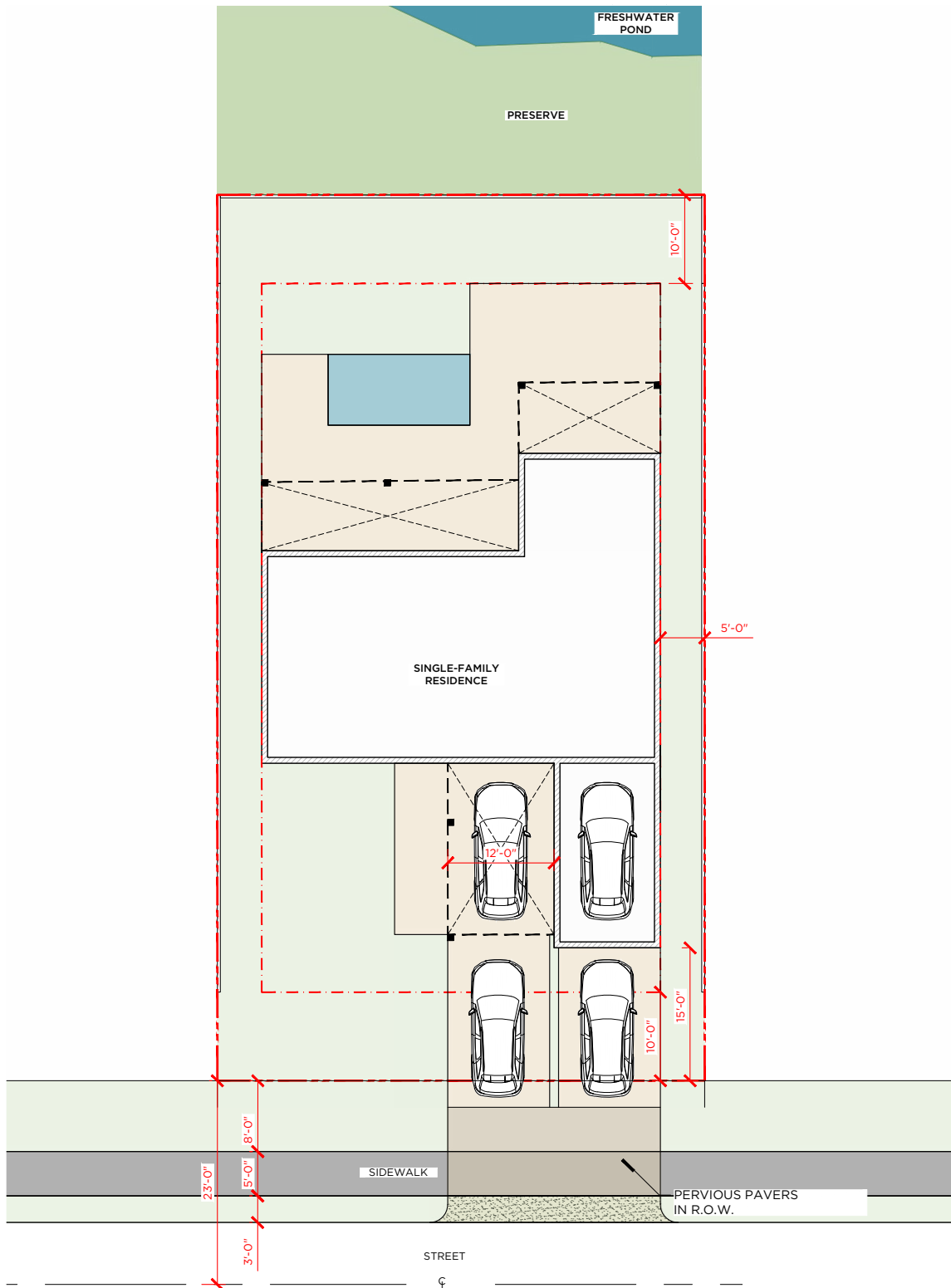
LOT TYPES PLAN

Whitecap Preserve | PUD Exhibits | 04.12.2022

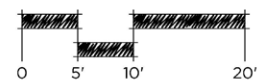
STANDARD WIDE LOT - 55' X 100'

TOTAL LOT SIZE = 5,500 SF

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SCALE: 1" = 10'-0"



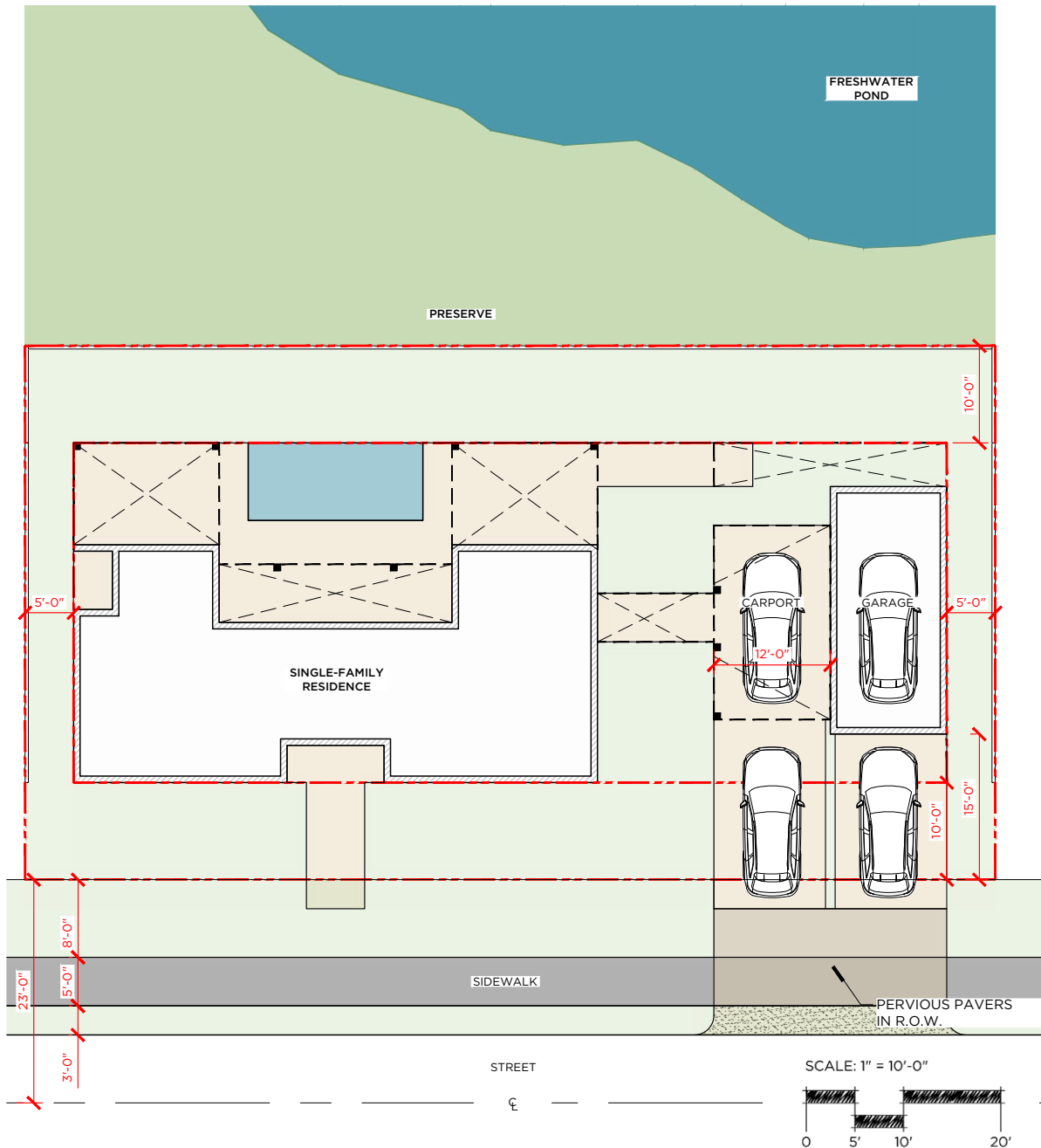
LOT TYPES PLAN

Whitecap Preserve | PUD Exhibits | 04.12.2022

MEDIUM LOT - 55' X 100'

TOTAL LOT SIZE = 5,500 SF

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LOT TYPES PLAN

Whitecap Preserve | PUD Exhibits | 04.12.2022

ESTATE LOT SOFT EDGE - 65' X 100'

TOTAL LOT SIZE = 6,500 SF

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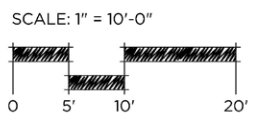
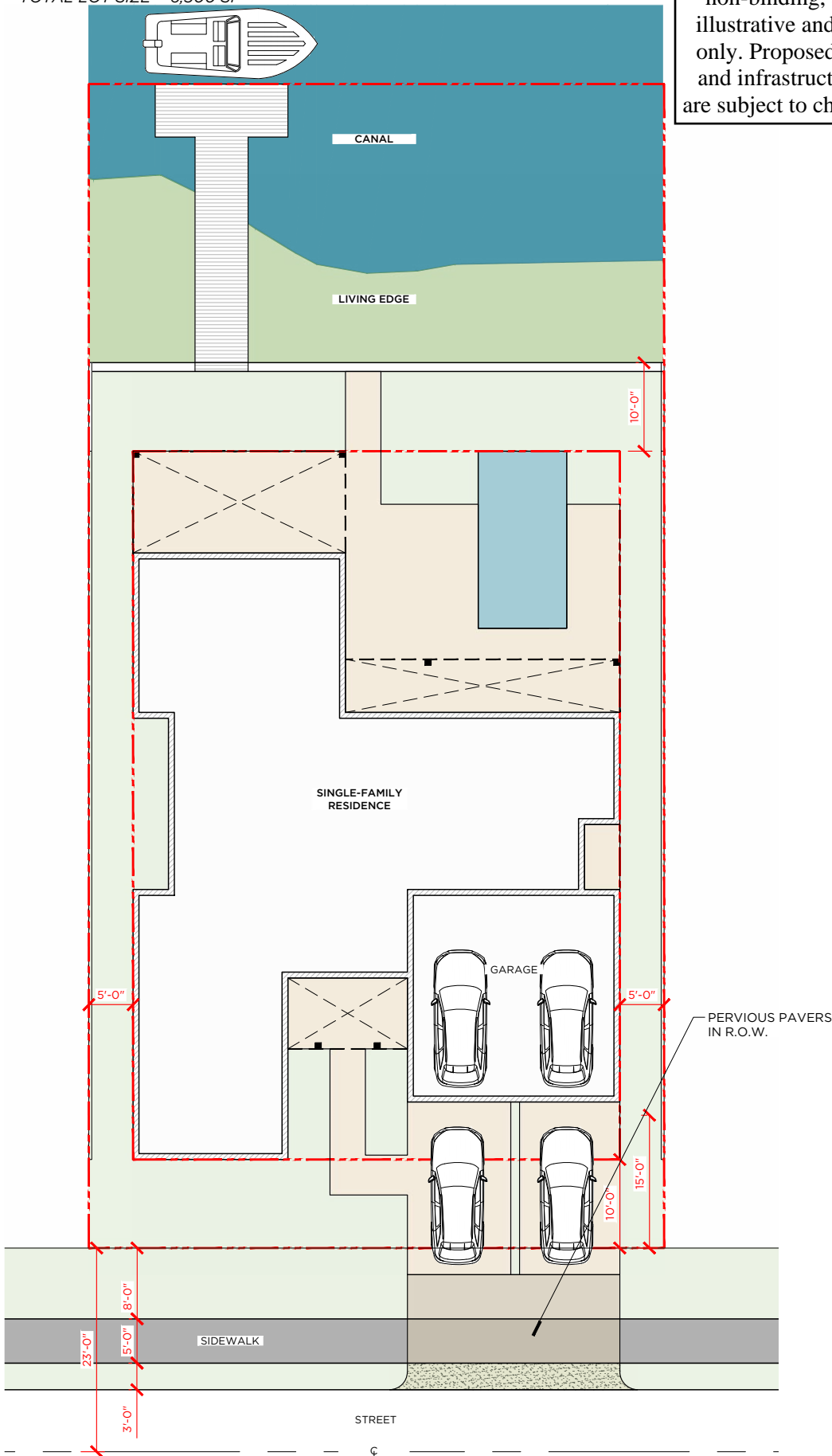


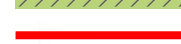
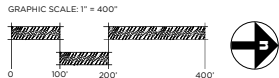


Exhibit E
Parks and Open Space Plan

GREEN SPACES AND WATER'S EDGE

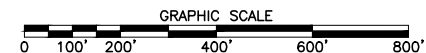
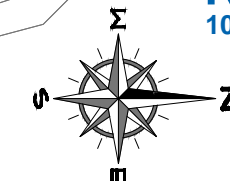
-  NATURE PRESERVE (+/- 13 acres)
-  NEIGHBORHOOD PARK (+/- 11 acres)
-  PRIMARY PEDESTRIAN AND CART CONNECTIONS



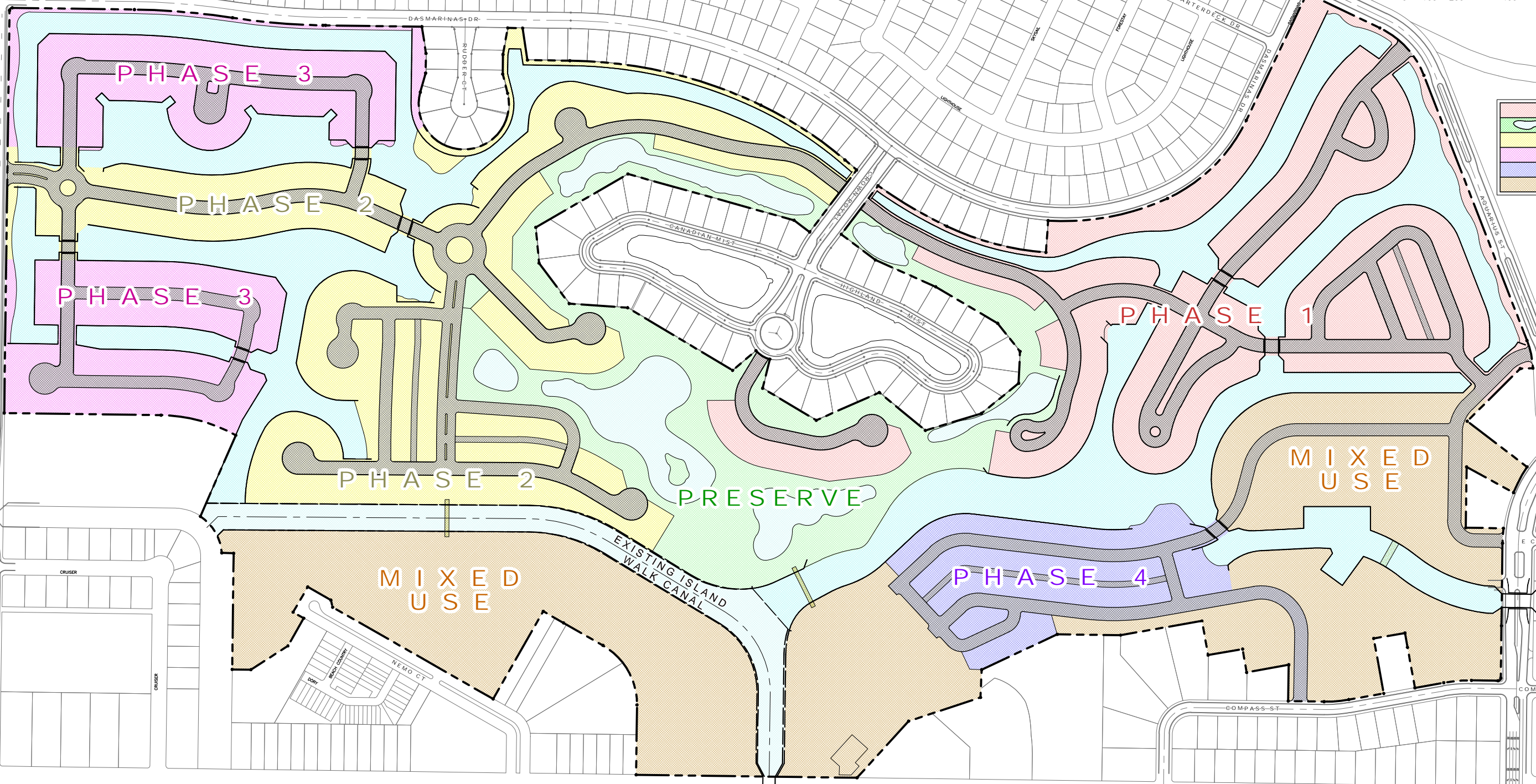
PARKS AND OPEN SPACE PLAN
Whitecap Preserve | PUD Exhibits | 04.12.2022

The images and renderings shown are preliminary, non-binding, and are released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.

Exhibit F
Phasing Plan



	PHASE 1
	PRESERVE
	PHASE 2
	PHASE 3
	PHASE 4
	MIXED USE



LJAC - NAME: R:\CLIENTS\DIAMOND_BEACH_HOLDINGS_LLC - 9845\1143 - Waves_Resort\CAD\BIM\Whitecap_R16.dwg - TAB: EUD\Phasing - dpt@lens.com - Wed, Oct 12, 2022 @ 8:21 am



DIAMOND BEACH HOLDINGS WHITECAP NORTH PADRE ISLAND PHASING PLAN

PHASING SHOWN IS PRELIMINARY, NON-BINDING AND IS RELEASED FOR PLANNING PURPOSES ONLY. PROPOSED PHASING, STREET, CANAL, LAND, AND INFRASTRUCTURE FEATURES SHOWN ARE SUBJECT TO CHANGE.



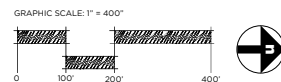
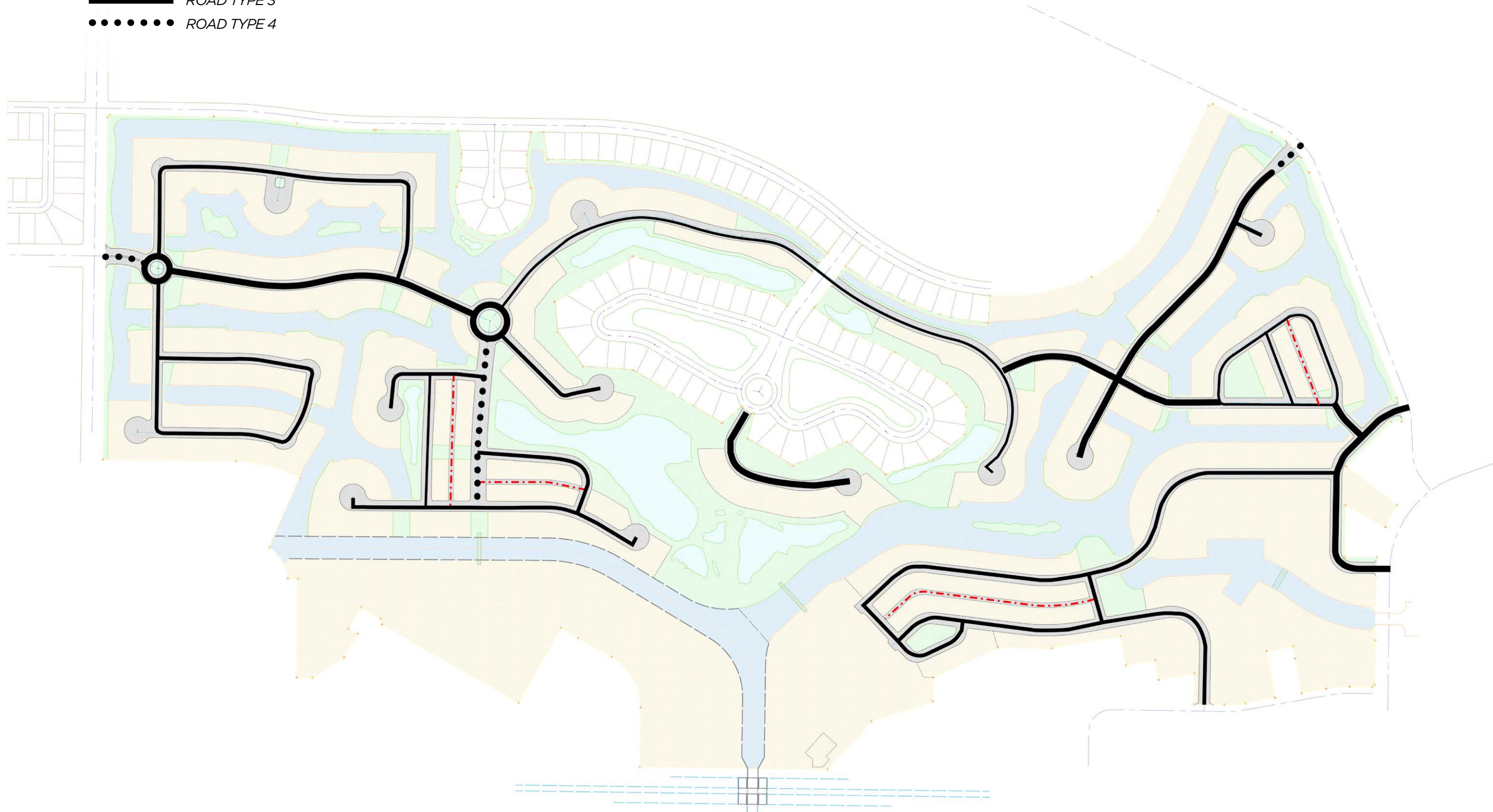
Exhibit G
Roadway Plan

MULTI-MODAL

- ROAD TYPE 1
- ROAD TYPE 2
- ROAD TYPE 3
- ROAD TYPE 4

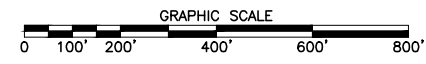
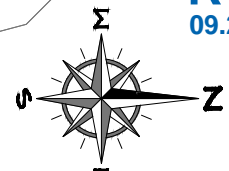
PRIVATE ACCESS

- - - - - ALLEY

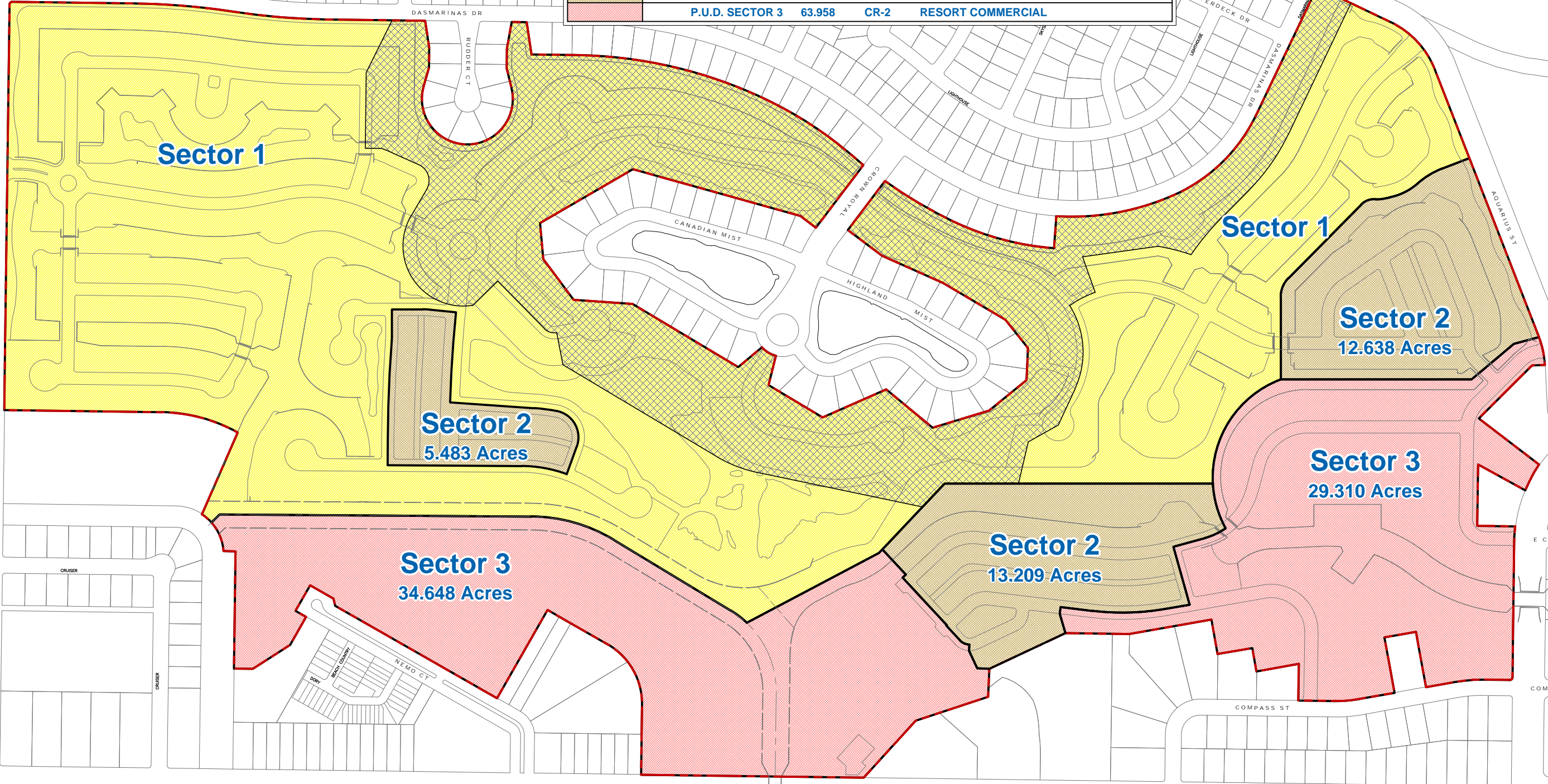


The images and renderings shown are preliminary, non-binding, and are released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.

Exhibit H
Sector Map



SECTOR	ACRES	BASE DISTRICT	DESCRIPTION
P.U.D. SECTOR 1	99.638	RS-4.5	SINGLE-FAMILY 4.5 RESIDENTIAL
P.U.D. SECTOR 1	47.085	RS-4.5	SINGLE-FAMILY 4.5 RESIDENTIAL (NON-STR)
TOTAL P.U.D. SECTOR 1	146.723		
P.U.D. SECTOR 2	31.330	RS-4.5	SINGLE-FAMILY 4.5 RESIDENTIAL
P.U.D. SECTOR 3	63.958	CR-2	RESORT COMMERCIAL



DIAMOND BEACH HOLDINGS
WHITECAP
NORTH PADRE ISLAND
PUD SECTOR PLAN

SECTOR LAYOUT SHOWN IS PRELIMINARY, NON-BINDING AND IS RELEASED FOR PLANNING PURPOSES ONLY. PROPOSED USAGE, STREET, CANAL, LAND, AND INFRASTRUCTURE FEATURES SHOWN ARE SUBJECT TO CHANGE.



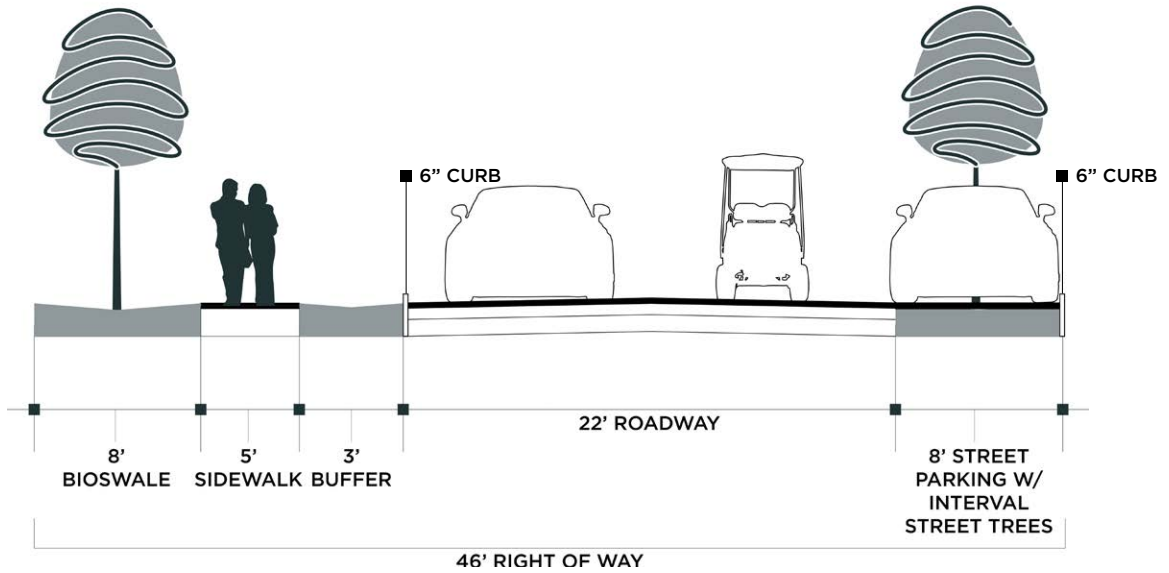
LJA ENGINEERING
TBPE FIRM REG. NO. F-1386



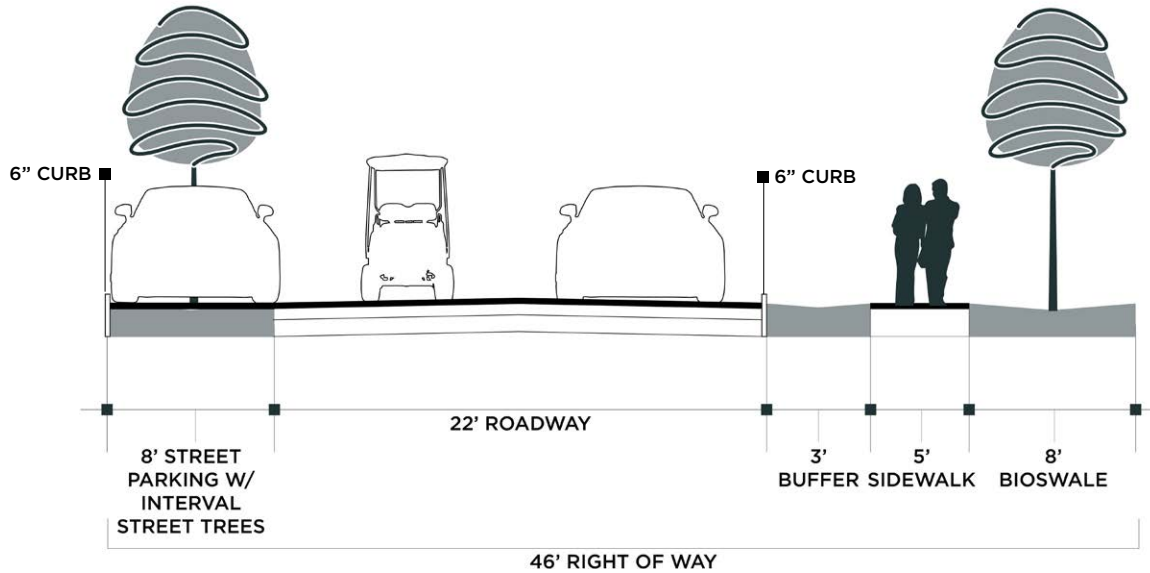
L:\ACC - NAME: R:\CLIENTS\DIAMOND BEACH HOLDINGS - LLC - 986\21143 - Nova - Resort\CAD\DBL\Whitecap\R15.5.PUD\sectors.dwg - dpaterson - Wed, Oct 12 2022 @ 8:28 am

Exhibit I
Street Sections

ROAD TYPE 1

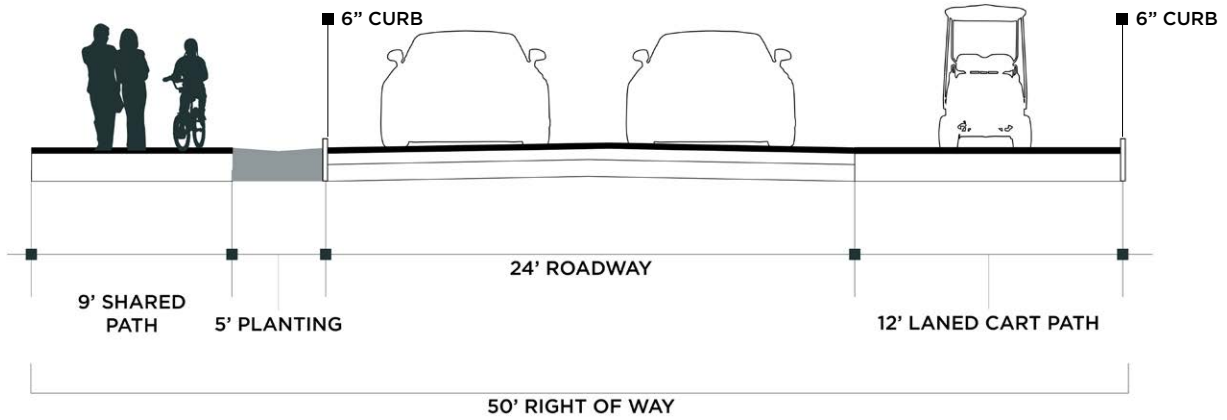


ROAD TYPE 2

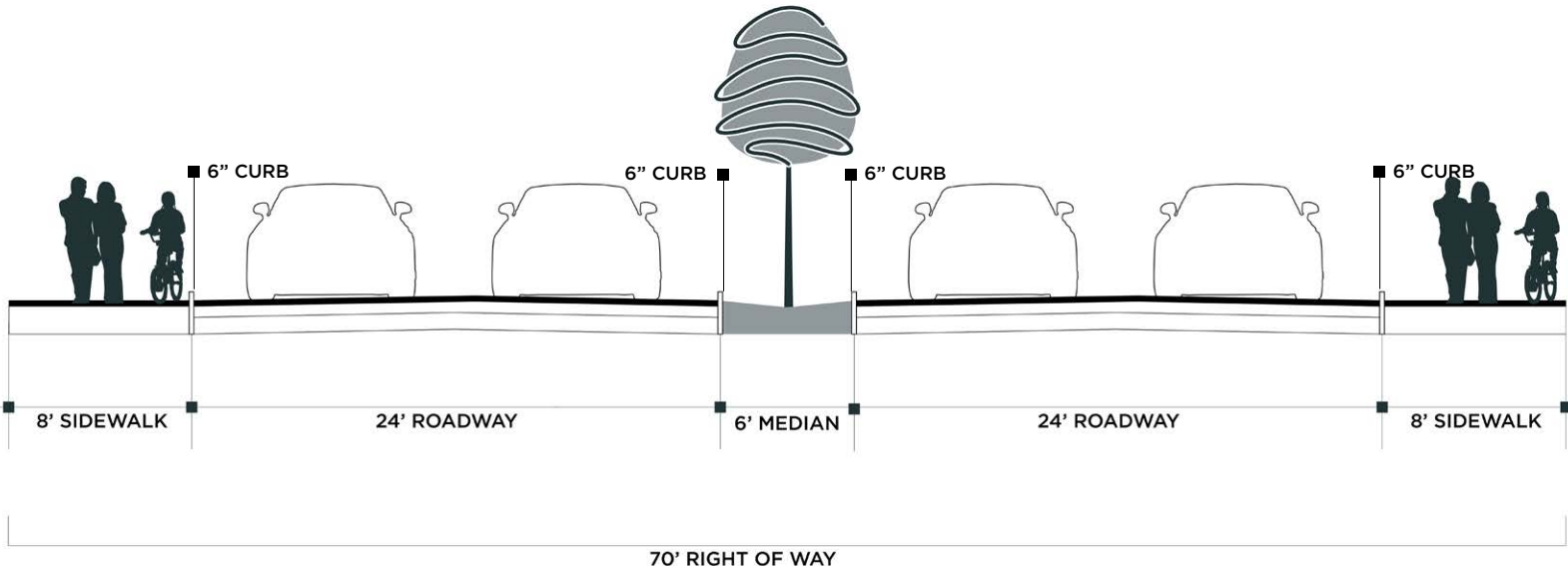


The layout shown is preliminary, non-binding, and is released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.

ROAD TYPE 3

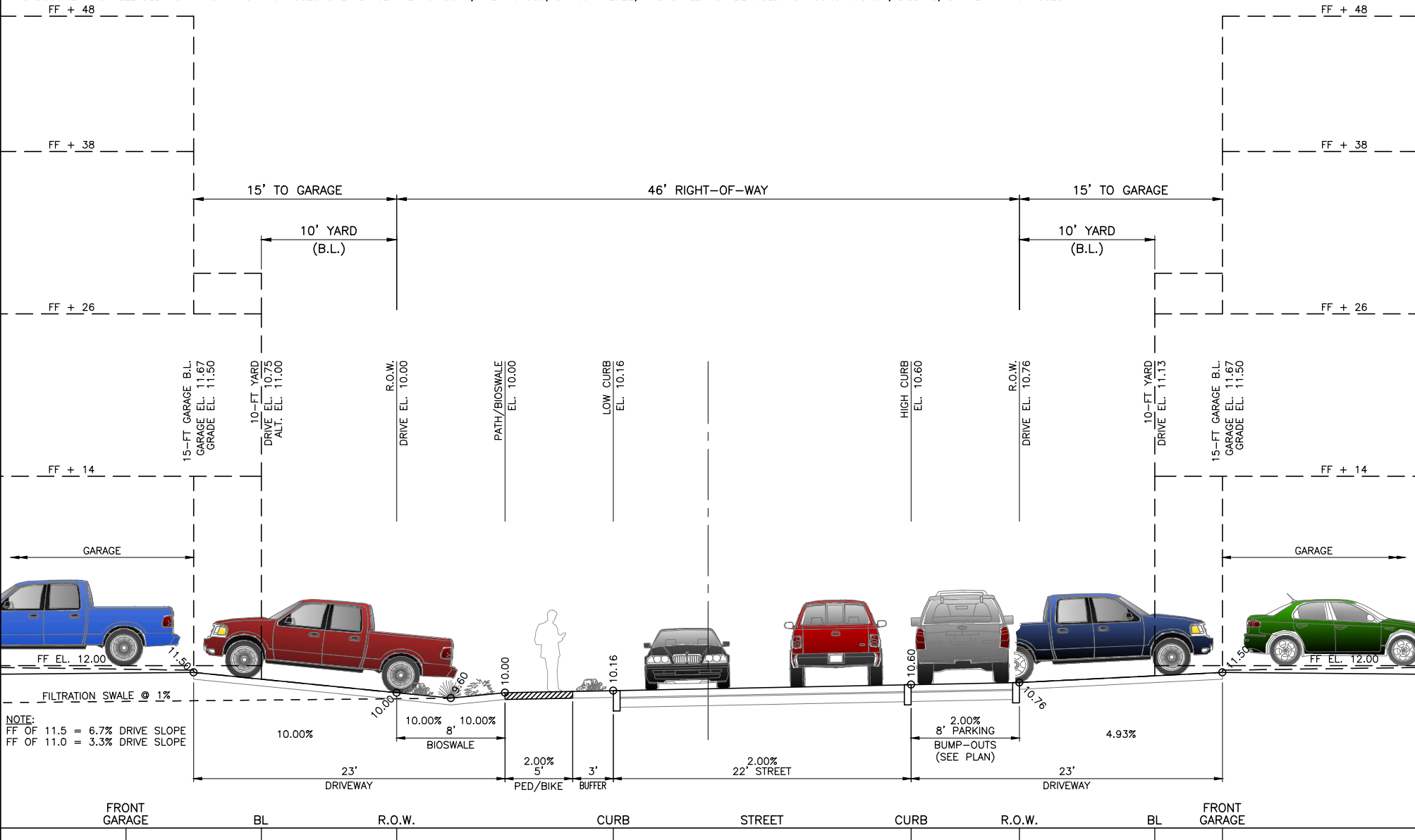


ROAD TYPE 4



The layout shown is preliminary, non-binding, and is released for illustrative and planning purposes only. Proposed street, canal, land, and infrastructure features shown are subject to change without notice.

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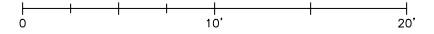


NOTE:
 FF OF 11.5 = 6.7% DRIVE SLOPE
 FF OF 11.0 = 3.3% DRIVE SLOPE



LJA ENGINEERING
 TEXAS ENGINEERING FIRM F-1386
 5350 S. Staples Street, Suite 425
 Corpus Christi, Texas 78411
 phone.361.991.8550
 www.LJA.com

**STREET
 RIGHT-OF-WAY
 ON- & OFF-STREET
 PARKING
 SECTION**



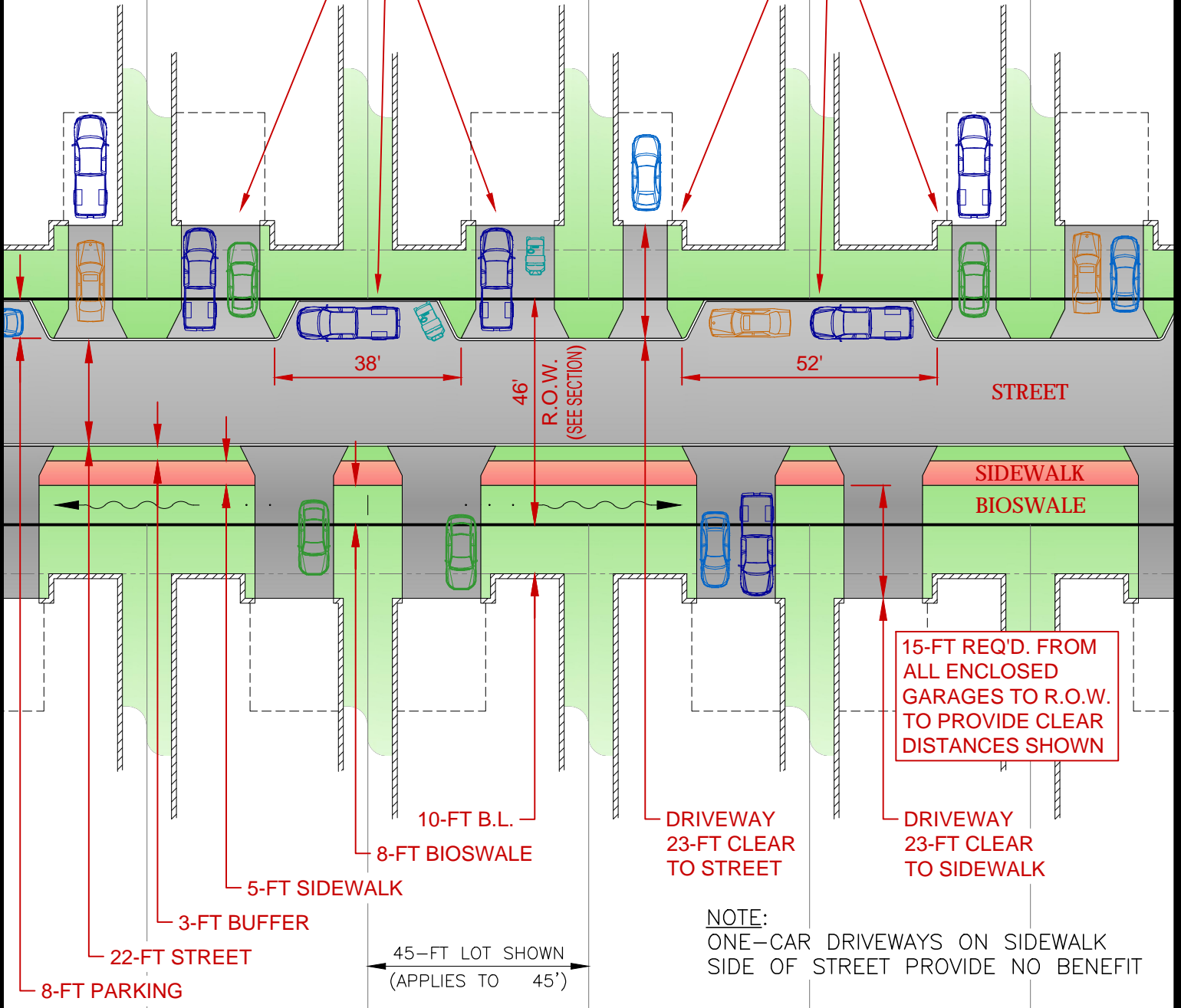
BULKHEAD

VARIOUS S.U.V. LENGTHS

16'-5"	TOYOTA HIGHLANDER/KIA TELLURIDE
16'-7"	FORD EXPLORER/AUDI Q7
16'-9"	DODGE DURANGO
16'-11"	BMW X7
17'-5"	NISSAN ARMADA
17'-6"	FORD EXPEDITION/LINCOLN NAVIGATOR
18'-10"	CHEVROLET SUBURBAN

OPPOSING TWO-CAR DRIVES ALLOW ONE STREET PARKING SPACE

OPPOSING ONE-CAR DRIVES ALLOW TWO STREET PARKING SPACES



NOTE:
ONE-CAR DRIVEWAYS ON SIDEWALK SIDE OF STREET PROVIDE NO BENEFIT

BULKHEAD



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Corpus Christi, Texas 78411
phone.361.991.8550
www.LJA.com

7'-9"		2-SEAT GOLF CART
10'-3"		4-SEAT GOLF CART
15'-3"		AUDI SEDAN
15'-6"		FORD SEDAN
16'-8"		MERCEDES SEDAN
21'-0"		FORD F-250

**STREET
RIGHT-OF-WAY
ON- & OFF-STREET
PARKING
PLAN**

