

Summary prepared by opposition
1/10/14

Re: Case no. 1213-05
Bed and Breakfast Permit request for 117 Martha
Bluff's Landing Marina and Lodge
BL Real Estate Holding Company LP

- * Bluff's Landing / owners purchased residential property in the summer of 2013 and immediately began advertising as a lodge that sleeps 13 people with a three day minimal In October owner was given notice it was in violation of the Unified Development Code [UDC]. Owner has now filed for a Special Permit for a Bed and Breakfast operation.
- * This property does not meet the UDC definition of a Bed and Breakfast Home since it is not "a private, owner-occupied residence".
- * Special Permit Review Criteria of the UDC are not met on 7 of the 8 criteria.
- * There is a similar rental operation on a "resort commercial" zoned lot at 109 Martha. This is located two lots from this proposed B&B thus making it within 1000 feet of another B&B. Refer to UDC page 229 G.
- * There are now 45 neighborhood signatures representing 32 of the 42 properties in the Laguna Madre Cove subdivision. This represents 76% have written opposition to the granting of a Special Permit for a Bed and Breakfast with none in support that we are aware of.
- * Initial opposition totaled 31.890% thus requiring a super majority vote by city council to pass approval.
- * This is an unprecedented invasion of a residential zoned neighborhood by a business entity operating a commercial enterprise. The City appears to have minimal staff for monitoring or enforcing activities associated with Special Permits.

Items included is this summary:

- * Cover letter to Development Services with signed oppositions.
- * Staff Report recommending the permit and a company staff member of BL be on the premise overnight during rental periods. This is not qualified by definition of owner operated.
- * Unified Development Code for Corpus Christi September 2013 and page 229 G.
- * Police reports: 9/8/13 at 5:24 am and 10/5/13 at 1:09 am. Both for parties with loud music.
- * Bluff's Landing invitation for a discussion with opposition and statement indicating they will now give the managers phone numbers.
- * Summary of discussion meeting on 1/9/14.
- * Laguna Madre Cove Neighborhood Association opposition letter

December 16, 2013

Development Services Department
P.O. Box 9277
Corpus Christi, TX 78469-9277

Re: Case No. 1213-05

Attention: Project Manager: Annika Gunning

Dear: Ms Gunning

Please find enclosed four [4] Public Hearing Notices signed in opposition by both husband and wife with one overlooked exception. One Statement of Opposition is used in place of the yellow Hearing notice as owner did not receive the notice. Another three [3] maybe four in opposition were mailed in.

It is our understanding that our goal in this process was to submit opposition signatures from 20% of the available 48.33% of the weighted percentages assigned to each of the sixteen [16] property owners on the mailing list. Our calculations conclude 31.890% or possibly 36.387% was achieved. That represents 66% or possibly 75% of the weighted percentages in opposition.

We enclose A total of 45 signatures representing 32 of the 42 properties which equals 76% opposition.
~~In addition, we enclose eighteen [18] Statements of Opposition titled Stop the Invasion that~~
are signed by other property owners in the neighborhood and by both husband and wife where applicable.

The majority of this neighborhood opposes the granting of a bed and breakfast permit and further believes the non permitted operation of a B&B at this location has already proven to adversely affect adjacent and neighboring property. That it is not consistent with the character of the neighborhood and impacts neighborhood values as well as property values.

And finally, there is another B&B operation on commercial property within 1000 feet of 117 Martha.

Best Regards,

Andy Agan Barbara Agan
Andy and Barbara Agan

Roxanne Schlabach
Cliff M. Schlabach
Cliff and Roxanne Schlabach

and the neighbors in Laguna Madre Cove

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the Development Services Department at least 48 hours in advance at (361) 826-3240. Personas con incapacidades que tienen la intención de asistir a esta junta y que requieren servicios especiales, se les suplica que den aviso 48 horas antes de la junta llamando al departamento de servicios de desarrollo, al número (361) 826-3240.

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DEC 12 2013

**CITY PLANNING COMMISSION
PUBLIC HEARING NOTICE
Rezoning Case No. 1213-05**

BL Real Estate Holdings has petitioned the City of Corpus Christi to consider a change of zoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast, not resulting in a change to the Future Land Use Plan. The property to be rezoned is described as:

Lot 5, Laguna Madre Cove, located on the south side of Martha Drive near the end of Laguna Shores Road.

The Planning Commission may recommend to City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning.

The Planning Commission will conduct a public hearing for this rezoning request to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, December 18, 2013, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the City Council Chambers, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request. For more information, please call (361) 826-3240.

TO BE ON RECORD, THIS FORM MUST BE FILLED OUT, SIGNED BY THE CURRENT PROPERTY OWNER(S) AND MAILED IN ITS ENTIRETY TO THE DEVELOPMENT SERVICES DEPARTMENT, P. O. BOX 9277, CORPUS CHRISTI, TEXAS 78469-9277. ANY INFORMATION PROVIDED BELOW BECOMES PUBLIC RECORD.

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NAME: RoxAnne Schlabaeh
Please print

ADDRESS: 122 Whiteley PHONE NO.: (361) 937-2115

() IN FAVOR IN OPPOSITION

REASONS:

For the last approx. 6 mos, this house has been used as a Bed & Breakfast, illegally. The loud parties & noise have resulted in several phone calls to the owners, RoxAnne Schlabaeh & police. I feel this change will hurt the value of my home

Signature

SEE MAP ON REVERSE SIDE

Property Owner ID: 16

HTE# 13-1000043

Case No. 1213-05
Project Manager: Annika Gunning

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NAME: Cliff SchLABACH

Please print

ADDRESS: 122 Whiteley, CC, TX 78418 PHONE NO.: 361-937-2115

() IN FAVOR

IN OPPOSITION

REASONS: ALREADY OPERATING in violation of RS-6 zoning
 RESULTING in loud NOISE & MUSIC, DRUNKNESS, PROFANE LANGUAGE, LITTERING & A GENERAL DISRESPECT for the Neighbors

Cliff M. Schlabach
Signature

SEE MAP ON REVERSE SIDE

Property Owner ID:
HTE# 13-10000043

Case No. 1213-05
Project Manager: Annika Gunning

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NAME: Tony J. Floerke
Please print
ADDRESS: 126 Whiteley Dr.
Corpus Christi, TX 78418 PHONE NO.: 361-657-0251

() IN FAVOR (X) IN OPPOSITION

REASONS: there has already been conflicts with loud & non-respectful guests staying there

Signature

SEE MAP ON REVERSE SIDE
Property Owner ID: 1
HTE# 13-1000043

Case No. 1213-05
Project Manager: Annika Gunning

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NAME: BARBARA AGAN and Andrew AGAN
Please print

ADDRESS: 118 Whiteley PHONE NO.: 939 8435

() IN FAVOR (X) IN OPPOSITION (X) in opposition

REASONS: All night parties, throwing trash in the channel, under size fish, loud voices, profane language, bright lights, music and attitudes. Property values drop. AN OBNOXIOUS DISTURBANCE! STOP THE INVASION!
109 MARtha ALREADY OPERATED as DAILY Rental.

Barbara A. Agan + Andrew Agan
Signature

SEE MAP ON REVERSE SIDE
Property Owner ID: 5
HTE# 13-1000043

Case No. 1213-05
Project Manager: Annika Gunning

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NAME: GU-Y BRADY
Please print

ADDRESS: 113 MARTHA DR PHONE NO.: 978-846-0766

() IN FAVOR IN OPPOSITION

REASONS:

LOUD + LATE NIGHT RENTERS. PEOPLE HAVE SWORN AT MY WIFE. PEOPLE HAVE TRESPASSED ON MY PROPERTY. CONCERNED ABOUT PROPERTY VALUE

Guy Brady + Lynn Brady
Signature

SEE MAP ON REVERSE SIDE
Property Owner ID: 10
HTE# 13-10000043

Case No. 1213-05
Project Manager: Annika Gunning

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NAME: Stephen J. Mauritz and Julie A Mauritz

Please print

ADDRESS: 114 Whiteleg Drive cc 78418 PHONE NO.: 361-937-1912

() IN FAVOR IN OPPOSITION

REASONS: *City zoned these lots as single family and that is what it should stay as, that will protect our house values in the future. We are opposed to any commercial business zoning. It is bad enough that there is one zoned as such.*

Stephen J. Mauritz *Julie A. Mauritz*
Signature

SEE MAP ON REVERSE SIDE
Property Owner ID: 6
HTE# 13-1000043

Case No. 1213-05
Project Manager: Annika Gunning

Stop the Invasion

DID NOT
RECEIVE YELLOW
NOTICE

- Our neighborhood, Laguna Madre Cove, is zoned single family residences [RS6] and does not allow for daily rentals. It is generally a quiet peaceful place we share with our neighbors and guests. That all changes when a property owner selfishly starts a daily rental operation of the residence.
- The obnoxious disturbance of all night parties, throwing trash in the channel, under size fish kill, loud voices and music, profane language, bright lights and attitudes echoes. The police must be called. Property values drop.
- In order to get around the neighborhood's intended use and city code the owners petition to get their property rezoned.
- 117 Martha [Pizza Hut House] rents on a daily basis with a 3-day minimum and boast that it sleeps 13. This property is owned and operated by Bluff's Landing Marina and Lodge and/or it's owners. They also own/operate 12 other residences on a daily basis in the area.
- Businesses and residences each have their place. Now others contemplate renting out their residence as a business.
- STOP THE INVASION. No rezoning. Enforce the code.
- Please attend the Public Hearing on Wednesday December 18 at 5:30 in the City Council Chamber at City Hall 1201 Leopard.
- I oppose zoning change.

Name: Randy Whiting
 Address: 130 Whiteley Dr C.C TX 78418
 Signature: Randy Whiting Date: 12-11-13

Loud late night Party's
 I have kids that go to school
 And Have Been woke up at 3:00 AM

FD	TAXID	NAME ROW	ADDRESS	CITY	STATE	ZIP	LEGAL	F_AREA	%	CASE
0										
1	4120000000440	FLOERKE TONY J	126 Whiteley Dr	Corpus Christi	TX	78418	LAGUNA MADRE COVE LT 44	79925.631	38.726	1213-05
2	4120000000700	CHROBOCINSKI THOMAS E ET DOT	MARIA ELENA	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 7	8405.358	4.073	1213-05
3	4120000000010	FABELA REYNALDO	3817 SWEETBAY	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 1A	9280.948	4.497	1213-05
4	4120000000420	JOHNSTON FAMILY PROPRTIE	P O BOX 18279	CORPUS CHRISTI	TX	78480	LAGUNA MADRE COVE LT 42	6815.345	3.302	1213-05
5	4120000000460	BARBARA A ABEL AGAN & AND M	118 WHITELEY DRIVE	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 46	7.077	0.003	1213-05
6	4120000000470	MAURITZ STEPHEN J AND ET	JULIE A MAURITZ	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 47	9280.829	4.497	1213-05
7	8953000000010	BL REAL ESTATE HOLDING CO	5716 HWY 290 WEST 200	AUSTIN	TX	78735	TYLER S/D 1.451 ACS TR AR	9022.868	4.372	1213-05
8	4120000000030	SELF ROBERT RONALD	% REYNALDO FABELA/NOELIA	CORPUS CHRISTI	TX	78413	LAGUNA MADRE COVE LT 3	17004.220	8.239	1213-05
9	8953000000020	B L REAL ESTATE HOLDING C	5716 W Highway 290 Ste 20	Austin	TX	78735	TYLER S/D .899 AC TR B	9280.824	4.497	1213-05
10	4120000000460	BRADY GUY FRANCIS AND LYN	113 MARTHA DR	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 4	9706.844	4.703	1213-05
11	4120000000490	WATSON TODD ET UX	NANCY WATSON	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 49A	9280.948	4.497	1213-05
12	4120000000430	WHITING RANDALL LEE	130 WHITELEY DR	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 43	950.299	0.460	1213-05
13	4120000000080	SIMONS DON C ET UX	129 MARTHA DR	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 8	4446.979	2.155	1213-05
14	4120000000060	FARIAS JOHN	AND WIFE IDA FARIAS	Corpus Christi	TX	78418	LAGUNA MADRE COVE LT 6	7954.981	3.854	1213-05
15	4120000000480	WATSON TODD W &	WATSON NANCY A WFE	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 48	9280.688	4.497	1213-05
16	4120000000450	SCHLABACH CLIFF M ET UX	122 WHITELEY DR	CORPUS CHRISTI	TX	78418	LAGUNA MADRE COVE LT 45	6464.207	3.132	1213-05
								9280.819	4.497	1213-05
								206388.865	100.000	1213-05

* 3 and 8 owned by Reynaldo Fabela

27,817
31,073
A.497

Flour Bluff, Padre Island
Flour Bluff
Flour Bluff, south of Yorktown, east of Waldron

36387

38,726
61,224
BL RE -> 12,948 48.37

Stop the Invasion

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- I oppose zoning change.

Name: Brenda Eyer

Address: 202 Whiteley, C.C, Tx

Signature: Brenda Eyer Date: 12-14-13

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- STOP THE INVASION. No rezoning. Enforce the code.
- Please attend the Public Hearing on Wednesday December 18 at 5:30 in the City Council Chamber at City Hall 1201 Leopard.
- I [] oppose zoning change.

Name: Rocky Eylee

Address: 202 Whiteley c.c. Tr 78418

Signature:  Date: 12-14-13

Stop the Invasion

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- I oppose zoning change. !

Name: Steve + Erin Wilsm

Address: 221 Thelma Drive

Signature: _____ Date: 12/15/2013

Er Wilsm
Steven Wilsm

Stop the Invasion

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- I [] oppose zoning change.

Name: JOHNA COPELAND

Address: 149 MARTHA DR.

Signature: Johnna Copeland Date: 12/14/13

Stop the Invasion

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- I oppose zoning change.

Cail Harrington

Name: *John Harrington*

Address: *158 Whiteley Corpus Christi TX 78418*

Signature: *John Harrington* Date: *Dec. 14, 2013*

Cail Harrington

Stop the Invasion

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- I [] oppose zoning change.

Name: MARK ROSS

Address: 141 MARTHA

Signature: Mark Ross Susan Gardner
Date: 12.13.13

Susan Gardner

Stop the Invasion

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- I [X] oppose zoning change.

Name: Derwin Ray Arnold

Address: 225 Thelma

Signature:  Date: 12-13-13

Wanda Arnold
225 Thelma
Wanda Arnold 12-13-13

Stop the Invasion

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- I oppose zoning change.

Name: Betty & Gary Cady

Address: 326 WHITELEY

Signature: Betty Cady Date: 12-13-13

Gary Cady

Stop the Invasion

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- I oppose zoning change.

Name: KENNETH J. JUSTICE

Address: 230 WHITELEY DR.

Signature: *Kenneth Justice* Date: 12-12-2013

BARBARA J. JUSTICE
Barbara J. Justice

Stop the Invasion

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- I [] oppose zoning change.

Name: *Arthur Whitling*

Address: *214 Spitzeray Dr.*

Signature: *Arthur Whitling*

Date: *12-13-13*

Stop the Invasion

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- I oppose zoning change.

Name: JOHN P. DOUGLASS SUSAN DOUGLASS

Address: 138 WHITELEY DR

Signature: J P Douglas Date: 12-13-2013

Susan P. Douglass

Stop the Invasion

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- I oppose zoning change.

Name: Kenneth & Deborah Nugent

Address: 1146 Whiteley Dr CE TX 78418

Signature: Kenneth & Deborah Nugent Date: 12/12/13

Deborah K Nugent

Stop the Invasion

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- I oppose zoning change.

Name: Carol J. Peters

Address: 170 Whitely Dr.

Signature: CAROL J. PETERS

Date: 12-12-13

Stop the Invasion

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- I oppose zoning change.

Name: WINDLE LEE & ELIZABETH LEE

Address: 206 WHITELEY DR. CC TX 78418

Signature: Windle Lee Date: 12/13/13

Elizabeth J. Lee

Stop the Invasion

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- I oppose zoning change.

Name: R. E. Bubelz

Address: 217 The Inn

Signature: R E Bubelz Date: 12-12-13

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- I [] oppose zoning change.

Name: STEVE & CAROL BRATTEN

Address: 218 WHITELEY DR

Signature: Steve Bratten Date: 12/12/13

Carol Bratten Dec. 12, 2013

Stop the Invasion

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- I [] oppose zoning change.

Name: W. Vera Tobias

Address: 146 Whiteley

Signature: W. Vera Tobias Date: 12-12-12

Stop the Invasion

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- I oppose zoning change.

GEORGE LAIRD + LEONA LAIRD

Name: _____

Address: 150 Whitely DR

Signature: _____

Date: 12-13-2013

George L. Laird
Leona Laird

Stop the Invasion

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- I oppose zoning change.

Name: Richard J. Stanczak

Address: 229 Thelma Dr.

Signature: Richard J. Stanczak Date: 12-16-2013

Stop the Invasion

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- I oppose zoning change.

Name: Richard Bradshaw

Address: 213 Thelma

Signature:  Date: 1/03/14

Stop the Invasion

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- I [] oppose zoning change.

Name: Georgiana Bradshaw

Address: 213 Thelma

Signature: Bradshaw Date: 1/7/14

Stop the Invasion

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- Please attend the Public Hearing on Wednesday ~~December 18~~ ^{January 15} at 5:30 in the City Council Chamber at City Hall 1201 Leopard.
- I oppose zoning change.

Name: HARVEY MANNING

Address: 157 MARTHA DRIVE, CC, TX, 78418

Signature: [Signature] Date: 1/2/14

Stop the Invasion

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- I oppose zoning change.

Name: Champs Clark

Address: 209 Thelma Dr.

Signature: Champ Clark Date: 1/7/2014

STAFF REPORT

Case No.: 1213-05
 HTE No. 13-1000043

Planning Commission Hearing Date: December 18, 2013

Applicant & Legal Description	<p>Representative: Mick Linares with Bluff's Landing Marina and Lodge Applicant/Owner: BL Real Estate Holding Company LP</p> <p>Legal Description/Location: Lot 5, Laguna Madre Cove, located on the south side of Martha Drive near the end of Laguna Shores Road.</p>			
Zoning Request	<p>From: "RS-6" Single-Family 6 District To: "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast. Area: 0.21 acres Purpose of Request: To allow for overnight accommodations of less than 30 days.</p>			
Existing Zoning and Land Uses		Existing Zoning District	Existing Land Use	Future Land Use
	<i>Site</i>	"RS-6" Single-Family	Low Density Residential	Low Density Residential
	<i>North</i>	"CN-1" Neighborhood Commercial & "CR-1" Resort Commercial	Commercial	Commercial
	<i>South</i>	"RS-6" Single-Family	Low Density Residential	Low Density Residential
	<i>East</i>	"RS-6" Single-Family	Low Density Residential	Low Density Residential
	<i>West</i>	"RS-6" Single-Family	Low Density Residential	Low Density Residential
ADP, Map & Violations	<p>Area Development Plan: The subject property is located within the boundaries of the Flour Bluff Area Development Plan (ADP) and is planned for low density residential uses. The proposed rezoning to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast is consistent with the adopted Future Land Use Plan in that a bed and breakfast is a permitted use in the "RS-6" Single-Family 6 District and approval of a Special Permit would not change the property's base zoning district. Map No.: 036026</p> <p>Zoning Violations: Case #V034446-11413 (WebQA) – Violation of Unified Development Code (UDC) Section 1.7 Minimum Requirements, Subsection 5.2.24 Rentals (Single-Family). Notice was issued to property owner by Code Enforcement on October 14, 2013. No citation issued.</p>			

Transportation	Transportation and Circulation: The subject property has 70 feet of frontage on Martha Drive, which is a local street, and 70 feet of frontage on a canal leading to the Laguna Madre. The subject property is located near the intersection of Wyndale Drive, which is a local street, and Laguna Shores Road, which is a proposed Parkway Collector.				
Street R.O.W.	Street	Urban Transportation Plan Type	Proposed Section	Existing Section	Traffic Volume
	Martha Dr.	Local	50' ROW, 28' paved	40' ROW, 20' paved	Not Available
	Wyndale Dr.	Local	50' ROW, 28' paved	70' ROW, 20' paved	Not Available
	Laguna Shores Rd.	Parkway Collector	80' ROW, 40' paved	70' ROW, 20' paved	4,593 ADT (2009)

Staff Summary:

Requested Zoning: The applicant is requesting a rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast to allow overnight accommodations of less than 30 days. The property owner is the proprietor of Bluff's Landing Marina and Lodge. The subject property was purchased to be used as additional lodging for its customers and the applicant is requesting the rezoning in order to comply with the Unified Development Code (UDC), which prohibits the rental of single-family dwellings for less than 30 days in a single-family district.

Applicant's Development Plan: Bluff's Landing Marina & Lodge is a development in the Flour Bluff Area consisting of a full service marina and lodge complex. The Marina offers boat slips and fishing guides, a tackle and bait store, a restaurant, a 24-room hotel and five lodges. Bluff's Landing been in business for approximately five years after a rezoning to a Resort Commercial zoning district allowed the uses. Bluff's Landing (or BL Real Estate Holding Company, LP) purchased the subject property, which is located directly across from the Marina, to be used as a guest lodge with rental periods of less than 30 days. UDC Section 5.2.24 "Rentals (Single Family)" states that "Single-family units in a single-family district cannot be rented for less than a one-month period, unless approved by the Planning Commission and City Council as a bed and breakfast home."

The subject property includes a 2,818-square foot dwelling with four bedrooms and two bathrooms. A solid wood fence is located along the side yards of the subject property and along the street frontage. As a bed and breakfast home will have to be owner-occupied and can rent to no more than 10 lodgers at a time. Breakfast may be served to the lodgers. The applicant does not have any intentions of modifying the existing structure.

UDC Section 1.11.3 defines a bed and breakfast as “[a] private, owner-occupied residence that offers sleeping accommodations to not more than 10 lodgers.” Section 5.2.8 Bed and Breakfast Home provides additional stipulations for the bed and breakfast home use, and Table 7.2.2.B specifies that there must be two off-street parking spaces per room for overnight accommodations.

Existing Land Uses & Zoning: Located directly across Martha Drive to the north of the subject property is a “CN-1” Neighborhood Commercial District where Bluff’s Landing Marina is located. East of the subject property is one single-family dwelling in the “RS-6” Single-Family 6 District. Two lots to the east of the subject property is a single-family dwelling zoned “CR-1” Resort Commercial District. This single-family dwelling is currently advertised on the internet for weekday/weekend rentals. South of the subject property is a canal leading to the Laguna Madre and single-family houses zoned “RS-6” Single-Family 6 District. West of the subject property is a vacant lot zoned “RS-6” Single-Family 6 District.

AICUZ: The subject property is not located in one of the Navy’s Air Installation Compatibility Use Zones (AICUZ).

Comprehensive Plan & Area Development Plan Consistency: The subject property is located within the boundaries of the Flour Bluff Area Development Plan and the proposed rezoning is consistent with the adopted Future Land Use Plan, which slates the property for a low density residential use, because a bed and breakfast use is a permitted in the single-family district by Special Permit and the subject property’s base zoning district would not change if granted a Special Permit.

Plat Status: The subject property is currently platted.

Special Permit Review Criteria:

In determining whether to approve, approve with conditions or deny a special permit, the applicable review bodies shall consider the following criteria according to UDC Section 3.6.3:

1. The use is consistent with the Comprehensive Plan.
2. The use complements and is compatible with the surrounding uses and community facilities.
3. The impact of the use on public infrastructure such as roads, natural gas, water, storm water and wastewater systems, and on public services such as police and fire protection and solid waste collection can be minimized without negatively impacting existing uses in the area and in the City.
4. The use contributes to, enhances or promotes the welfare of adjacent properties and the surrounding area.
5. The use does not substantially adversely affect adjacent and neighboring uses.
6. The use does conform in all other respect to regulations and standards in the UDC.

NO by Re-definition of B+B

7. If located within or adjacent to a residential area, the physical appearance, hours of operation and conduct of the use does not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution or otherwise detrimentally affect the residential character.
8. The development provides ample off-street parking and loading facilities.

Department Comments:

- A bed and breakfast home is allowed in the "RS-6" Single-Family 6 District only if City Council approves a Special Permit for the use.
- The subject property is located across from commercial uses and Neighborhood Commercial zoning. The subject property is also near the intersection of three streets, where the commercial uses are located.
- The proposed rezoning is consistent with the Comprehensive Plan.
- The subject property has not been operating in compliance with the Unified Development Code (UDC). A neighborhood complaint brought the illegal land use to the attention of the City's Code Enforcement Department. The property owner is applying for a Special Permit for a bed and breakfast because it is the only use in the UDC that accommodates the property owner's intentions for the property. By definition, this bed and breakfast will have to be owner-occupied, which would likely result in less noise and disturbance in the neighborhood when it is rented.
- The application meets the requirements of UDC Section 3.6.3 "Review Criteria" for a Special Permit.
- UDC Section 5.2.8 "Bed and Breakfast Home" stipulates the conditions which the subject property would need to comply with throughout its operation as a bed and breakfast. These conditions are listed in the Special Permit conditions recommended by staff.
- Neighborhood complaints about noise during late night hours are expected to be addressed by the UDC's requirement that the bed and breakfast be owner-occupied. The owner, which is a company, would be expected to have a staff member on premise overnight during rental periods. *see definition - UDC?*

Contradiction
NOT Qualified

Staff Recommendation:

Approval of the rezoning from the "RS-6" Single-Family 6 District to the "RS-6/SP" Single-Family 6 District with a Special Permit for a bed and breakfast home, subject to the following conditions, which are outlined in the Unified Development Code:

1. **Uses:** The only use allowed on the Property other than those uses allowed by right in the "RS-6" Single-Family 6 District is a bed and breakfast home, which is defined as a private, owner-occupied residence that offers sleeping accommodations to not more than 10 lodgers.
2. **Number of Lodgers:** Sleeping accommodations shall not exceed five bedrooms and no more than 10 lodgers shall be accommodated at one time, not including the owner-occupied rooms.

3. Dining Facilities: Kitchen and dining facilities may be included to provide meals to guests only. No food preparation shall be permitted in guest bedrooms.

4. Parking: Parking in the street yard of a bed and breakfast home shall be prohibited. All parking shall be screened from an adjacent residential use by an opaque fence or a hedge a minimum of 6 feet in height.

5. Exterior Appearance: No exterior evidence of the bed and breakfast home shall be allowed, except that one attached sign no larger than 1 square foot in area shall be permitted with no additional advertising of any kind allowed on site.

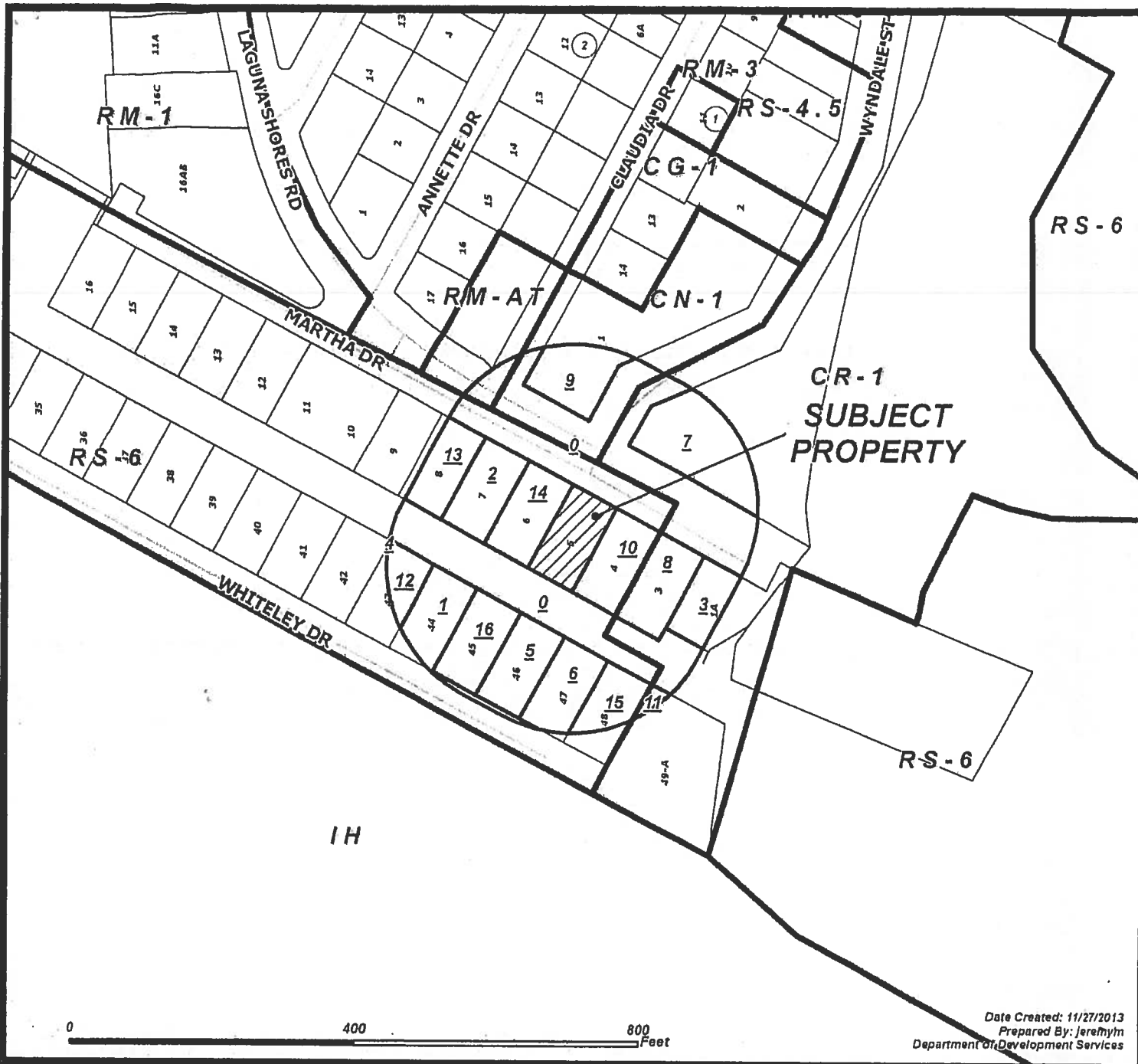
6. Guest Register: The operator shall keep a current request register including names, permanent addresses, dates of occupancy and motor vehicle license numbers for all guests.

7. Special Events: A temporary use permit in accordance with UDC Section 5.4 shall be required for any party, reception or similar special event that is anticipated to draw more than 10 total guests (including overnight guests) to the bed and breakfast home. Special events subject to the temporary use permit shall be limited to a total of six such functions per calendar year and shall be limited to between the hours of 7 a.m. and midnight. Such events shall be limited to the interior of the bed and breakfast home.
Ordinance is 11:00

8. Time Limit: The special permit shall expire 12 months after approval unless a certificate of UDC compliance has been issued for the bed and breakfast home.

Public Notification	Number of Notices Mailed – 16 within 200' notification area; 4 outside notification area
	<u>As of December 12, 2013:</u>
	In Favor – 0 (inside notification area); 0 (outside notification area)
	In Opposition – 3 (inside notification area); 1 (outside notification area)
For 13.66% in opposition.	

- Attachments:
1. Subject Property with Notice Area
 2. Facility Layout of Bluff's Landing Marina and Lodge
 3. Notices Returned with Comments

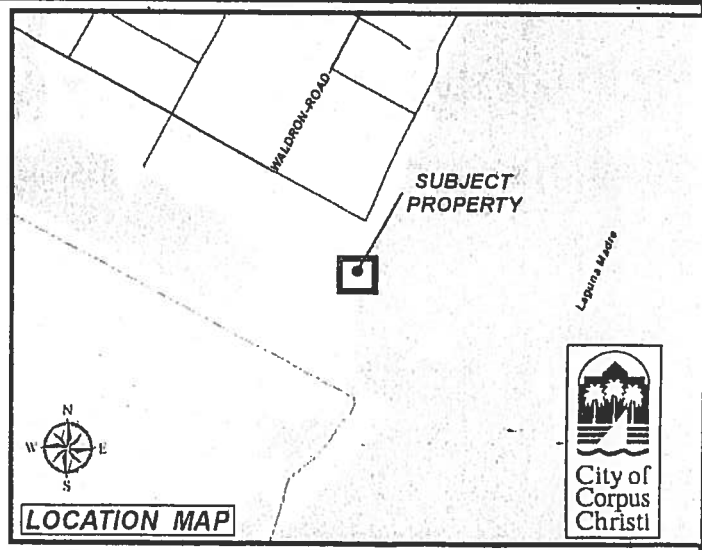


Date Created: 11/27/2013
 Prepared By: Jeramym
 Department of Development Services

CASE: 1213-05 ZONING & NOTICE AREA

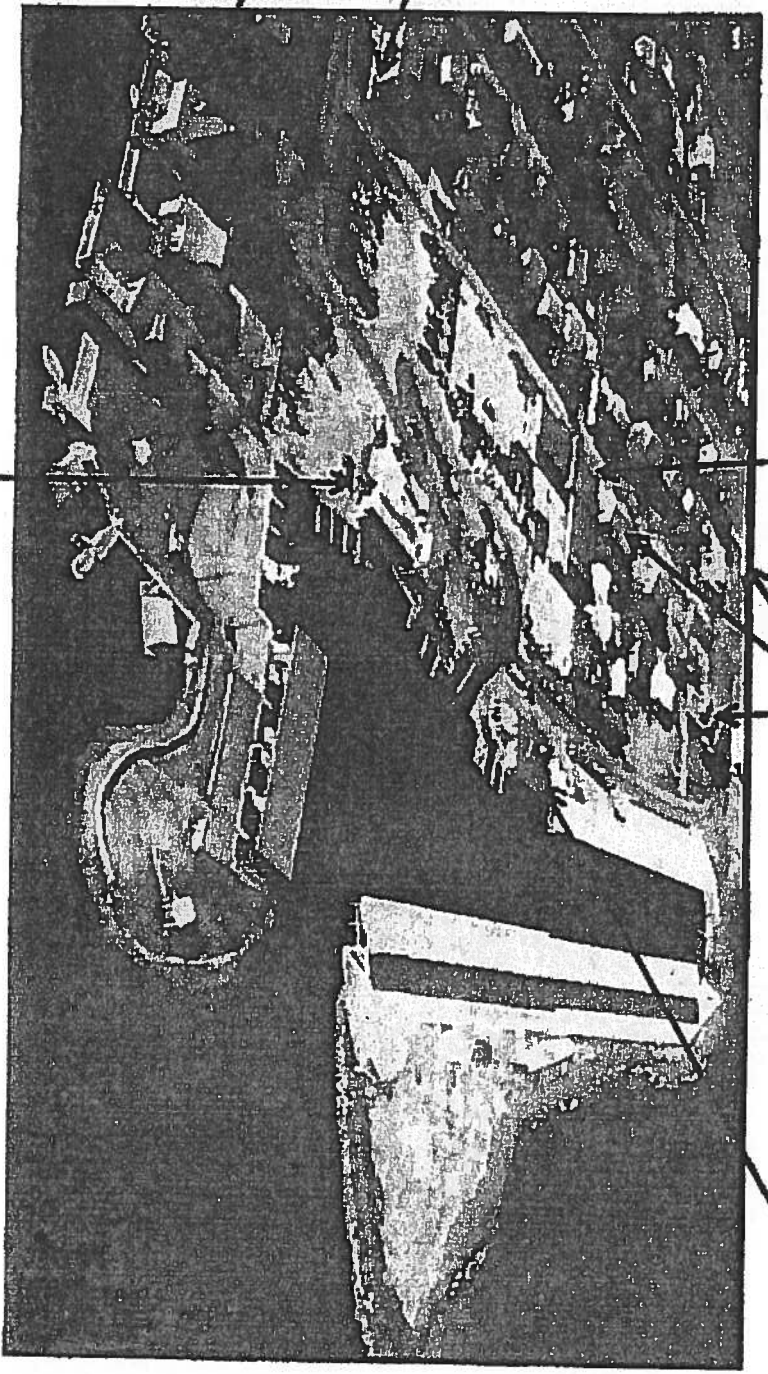
RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

- Subject Property with 200' buffer
- Owners in favor
- Owners within 200' listed on attached ownership table
- Owners in opposition





Bluff's Landing Marina & Lodge



Hotel

Subject
Property

Event Center

MF Lodges

Bait Shop

Restaurant

Corpus Christi, Texas

UNIFIED DEVELOPMENT CODE

September 2013

Awning or Marquee: A permanent, roof-like structure that projects from the wall of a building or structure and overhangs a private or public way.

Bar, Taverns, or Pub: A use engaged in the retail sale of alcoholic beverage, for on-premise consumption in which the establishment derives more than 75% of the establishment's gross revenue from the on-premise sale of alcoholic beverages. A bar, tavern, or pub may include entertainment providing such entertainment is enclosed within the building.

Basement: That portion of a building between floor and ceiling which is wholly or partly below grade, having more than one-half of its height below grade.

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given year.

Beach/Dune Committee: The Planning Commission serves as the Beach/Dune Committee for areas of the City located within Kleberg County as provided in Subsection 2.3.1 of this Unified Development Code. For all other areas of the City, the Nueces County Beach Management Advisory Committee serves as the Beach/Dune Committee.

Bed and breakfast home: A private, owner-occupied residence that offers sleeping accommodations to not more than 10 lodgers. A bed and breakfast home is not a single-family house.

Berm: Raised earthen mound. Soil must be stabilized by using terracing, soil stabilizing mats with ground cover or solid turf.

Bicycle or Watercraft Rental: A use engaged in the leasing or rental of bicycles or watercraft.

Boat Storage: A use where boats are kept for more than 24 consecutive hours.

Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

Bridge: Any structure usually referred to as a concrete box culvert or clear span bridge excluding culvert crossings or other crossings utilizing reinforced concrete or corrugated metal pipe.

Buffer: A specified land area, located parallel to and within the outer perimeter of a lot and extending to the lot line, together with the planting and landscaping required on the land.

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons or property of any kind.

approved prior to approval of preliminary plat except when the Master Site Plan is submitted in a form and level of detail sufficient to meet the requirements of both the Master Site Plan and the Preliminary Plat. All review requirements for the Preliminary Plat shall be satisfied, including conditional approval by the Technical Review Committee, allowing the Master Site Plan and Preliminary Plat to be simultaneously approved. No Preliminary Plat that is also submitted as a Planned Unit Development Master Site Plan shall be approved by the Technical Review Committee without the condition that the approval shall not be effective until after the City Council has approved the Planned Unit Development and its Master Site Plan without modification. If the Council approves with modification, the modified Preliminary Plat must be submitted to the Technical Review Committee through the process provided for the review of Preliminary Plat for approval. In the event that the property has been platted prior to preparation of a Master Site Plan, replatting may be required to insure the compatibility of the plat with the planned unit development and its Master Site Plan.

- B. If the property proposed to be platted within the planned unit development is within the ETJ of the City, the applicant shall request water service from the City according to the Outside the City Limits Water Policy as contained in the Municipal Code as it shall be amended from time to time.

3.5.9. Expiration

An approved development plan shall expire 24 months after the date that the development plan was approved, unless:

- A. A complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy has been issued.
- B. In case of projects where more than one building or phase is to be built, the applicant may submit a series of building permit applications. The first application shall be submitted within 24 months from the date of development plan approval. Each subsequent application shall be submitted within 24 months from the date of issuance of the last certificate of occupancy for the previous phase of the development.
- C. A lapse of a period greater than the periods set forth shall cause the related approvals to expire and be of no further force and effect. Any further action shall require a new application and approval.

§ 3.6 *Special Permit*

3.6.1. Applicability

- A. The special permit provides a means for developing certain uses in a manner in which the use will be compatible with adjacent property and consistent with the character of the neighborhood.
- B. The grant of a special permit shall have no effect on the uses permitted as of right and shall not waive the regulations of the underlying zoning district.
- C. Specific uses requiring a special permit are identified in the permitted uses sections in Article 4 for each grouping of zoning districts.
- D. When an application is submitted for a rezoning to a broader classification, a special permit may be granted in lieu of granting a rezoning to the broader classification when the applicant has plans of sufficient detail showing the full extent of the proposed use of the buildings, structures, and premises and including provisions for sufficient off-street parking facilities, screening walls or fences, landscaping, and open space so as to create a transition between a lesser, more restricted district and the proposed district. (Ordinance 029770, 03/19/2013)

3.6.2. Review Process

A. Concurrent Site Plan Submittal

Application for a special permit shall occur in conjunction with the submittal of a site plan. The City Council may not approve, approve with conditions, or deny a special permit application until after the site plan has been reviewed by the Technical Review Committee in accordance with the procedure in Section 2.7 and a recommendation is made by the Planning Commission. When a rezoning applicant has provided a site plan of sufficient detail to show the full extent of the proposed uses, the site plan shall also be reviewed by the Technical Review Committee prior to the Planning Commission making its final recommendation. (Ordinance 029770, 03/19/2013)

B. Technical Review Committee Review

The Technical Review Committee shall review the application and, considering the review criteria in Subsection 3.6.3, make a recommendation to the Planning Commission. The Assistant City Manager of Development Services shall be responsible for making a recommendation in the event an agreement on a recommendation cannot be reached.

C. Planning Commission Review

The notice and review procedures in Section 3.3 applicable to Zoning Map Amendments shall apply to the review and approval by the Planning Commission of a special permit.

D. City Council Final Action

The notice and review procedures in Section 3.3 applicable to Zoning Map Amendments shall apply to the review and approval by the City Council of a special permit.

3.6.3. Review Criteria

- A.** At a minimum, a site plan for a special permit shall include the following details:
1. Dimensions, bearings, and street frontage of the property;
 2. Location of buildings, structures, and uses;
 3. Means of ingress and egress to the public/private street;
 4. Off-street parking and loading arrangements;
 5. Screening, buffer yards, lighting, and landscaping details;
 6. Dumpster location and screening;
 7. Open space calculation and design;
 8. Provisions for drainage;
 9. A traffic analysis in accordance with Section 3.29.2 for rezoning applications; and
 10. Any other information the Assistant City Manager deems necessary for a complete review of the proposed development.
- B.** In determining whether to approve, approve with conditions or deny a special permit, the applicable review bodies shall consider the following criteria:
1. The use is consistent with the Comprehensive Plan.
 2. The use complements and is compatible with the surrounding uses and community facilities.
 3. The impact of the use on public infrastructure such as roads, natural gas, water, storm water and wastewater systems, and on public services such as police and fire protection and solid waste collection can be minimized without negatively impacting existing uses in the area and in the City.
 4. The use contributes to, enhances or promotes the welfare of adjacent properties and the surrounding area.
 5. The use does not substantially adversely affect adjacent and neighboring uses permitted in Article 4.
 6. The use does conform in all other respect to regulations and standards in this Unified Development Code.
 7. If located within or adjacent to a residential area, the physical appearance, hours of operation and conduct of the use does not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution or otherwise detrimentally affect the residential character.
 8. The development provides ample off-street parking and loading facilities.
- C.** The City Council may impose reasonable conditions upon the granting of a special permit consistent with the purposes stated in this Unified Development Code. The City Council may require additional conditions that

shall be compiled with before a certificate of occupancy or UDC compliance may be issued by the Building Official for such use of the buildings or improvements, but such conditions shall not be construed as conditions precedent to the granting of a special permit or the change in zoning of such property. (Ordinance 029770, 03/19/2013)

3.6.4. Limit on Re-filing

The same limitations on re-filing a Zoning Map amendment contained in Subsection 3.3.6 shall apply to the re-filing of a special permit.

3.6.5. Termination

A termination date may be imposed as a condition upon the granting of a special permit. If so imposed, the special permit shall automatically terminate on that date unless extended as provided below.

3.6.6 Expiration

A. The special permit shall expire 12 months after approval unless a complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy or UDC compliance has been issued. A longer expiration date may be provided in the special permit at the time of granting of the same. (Ordinance 029770, 03/19/2013)

B. In case of projects where more than one building or phase is to be built, the applicant may submit a series of building permit applications. The first application shall be submitted within 12 months from the date of site plan approval. Each subsequent application shall be submitted within 12 months from the date of issuance of a certificate of occupancy for the previous phase of the development.

C. A lapse of a period greater than the periods set forth shall cause the related approvals to expire and be of no further force and effect. Any further action shall require a new application and approval.

3.6.7 Extension

An extension of the expiration or termination of the special permit may be granted. All requests by an applicant for extensions shall be filed with the Assistant City Manager prior to the expiration or termination of the use. Following the notice and review procedures in Section 3.3, the City Council may grant a maximum of two consecutive extensions. Thereafter, the applicant shall apply for a new special permit. (Ordinance 029770, 03/19/2013)

3.6.8 Discontinuance

A special permit use that has been discontinued for more than six consecutive months shall be required to resubmit an application in accordance with this Section in order to reestablish the special use.

3.6.9 Uses Ineligible for Special Permits

Article 4. Base Zoning Districts

§ 4.1 General

4.1.1. Establishment of Zoning Districts

- A. The following zoning districts shall be established as authorized by Chapter 211 of the Texas Local Government Code.
- B. Where the phrase "residential zoning district" is used in this Unified Development Code, it shall be construed to mean the zoning districts listed under the "Residential Districts" heading on **Table 4.1.1 Zoning Districts**.
- C. Where the phrase "nonresidential zoning district" is used in this Unified Development Code, it shall be construed to mean the zoning districts listed under the "Nonresidential Districts" heading on **Table 4.1.1 Zoning Districts**.

a total of six such functions per calendar year and shall be limited to between the hours of 7 a.m. and midnight. Such events shall be limited to the interior of the bed and breakfast home.

G. The bed and breakfast home shall be not closer than 1,000 feet to any other bed and breakfast home.

5.2.9. Farmers Market

A farmers market shall be permitted in accordance with the use tables in Article 4 subject to the following standards:

- A. The farmers market shall be certified by the Texas Department of Agriculture and shall comply with all local, state and federal laws and regulations.
- B. Items sold in the farmers market shall include: fresh fruits, vegetables, dairy products, herbs, eggs, poultry, pork, seafood, fish, shrimp, beef, flowers, baked goods, homemade preserves, candies, soaps, honey, tea, coffee, prepared foods, and similar items approved by the Assistant City Manager of Development Services.
- C. The farmers market area shall not encroach upon minimum yards, minimum parking area or fire lanes.
- D. The farmers market shall be considered as retail sales floor area for purposes of calculating parking and loading.
- E. The farmers market shall be within a permanent roofed structure that does not have any walls.
- F. Permanent restroom facilities for employees and customers shall be provided within 300 feet of the farmers market.
- G. No demonstrations of processing of non-animal products may be conducted on site.

5.2.10. Fuel Sales

A fuel sales establishment shall be permitted in accordance with the use tables in Article 4 subject to the following standards:

- A. No more than eight vehicle fueling stations shall be permitted in Neighborhood Commercial districts.
- B. No open storage of any type, including the overnight storage of vehicles, shall occur in conjunction with the operation.
- C. Any freestanding light fixtures shall be reduced in height to 15 feet if the use adjoins a residential zoning district.
- D. A 6-foot high solid visual barrier or screen shall be provided between the fuel sales establishment and any adjacent residential zoning district.

Event Summary

Row	Agency	DGroup	Pri	Date	Time	Event Number	Type	Subtype	Unit	Location
1	CCPD	B	5	9/8/2013	5:24:23 AM	<u>1309009894</u>	LOUD	MUSIC	<u>B480</u>	117 MARTHA DR CC NUECS
2	CCPD	B	5	10/5/2013	1:09:17 AM	<u>1310005912</u>	LOUD	MUSIC	<u>B465</u>	117 MARTHA DR CC NUECS

I/NetViewer -- Event Search

Location Information

Number	Direction	Type	
117			
Street			
MARTHA%			
Suffix	Area	Municipality	Apartment
ESZ	Beat	Building	County

Caller Information

Name

Address

Phone

Source

Calltaker ID

Terminal

Sort Keys

Date/Time

Descending

Modifiers

Open Events

Late Run

Closed Events

Use Time as Ran

General Event Information

Event Number

Event Type

Case Number

SubType

From Date

From Time

Agency

Disp Code

To Date

To Time

DGroup

Situation

Submit

Event Information -- 1309009894

Location Information		Caller Information				
Number	117	Name	MALE CALLER			
Direction		Address				
Street	MARTHA	Phone	(361) 937-2115			
Type	DR	Terminal	call08			
Suffix		Calltaker ID	2261			
Area		Source	PHONE			
Municipality	CC	Remarks	LOUD MUSIC/PARTY AT ABOVE LOC ** LOI search completed at 09/08/13 05:24:24 ** Event 1309009894 was viewed at: 09/08/13 05:25:38 ** >>>> by: 10599 on terminal: disp09 ** Event 1309009894 was viewed at: 09/08/13 05:29:12 ** >>>> by: 10953 on terminal: disp08 ** Event 1309009894 was viewed at: 09/08/13 05:32:16 ** >>>> by: 10599 on terminal: disp09 ANO CALL FEMALE CALLER 960-3168 ADV SAME ** Event 1309009894 was viewed at: 09/08/13 05:39:28 ** >>>> by: 10953 on terminal: disp08 ** Event 1309009894 was viewed at: 09/08/13 05:44:12 ** >>>> by: 10953 on terminal: disp08 B480 -- CHILDREN TOLD TO GO BACK INSIDE ** Event 1309009894 closed.			
Apartment		Case Numbers	<table border="1"> <tr> <td></td> <td>Disp Codes</td> <td>CL</td> </tr> </table>		Disp Codes	CL
	Disp Codes	CL				
X-Street 1						
X-Street 2						
Date	9/8/2013					
Event Type	LOUD -- Noise Ordinance Violation [MUSIC]					
Building						
County	NUECS					
State						

Agency	P	Esz	Area	DGroup	Add	Dispatch	Arrive	Close	Cls ID	Cls Term	Event	CommentsPrim	Unit	Situation
CCPD	5	6028	B60	B	5:24:23 AM	5:29:28 AM	5:43:18 AM	5:52:06 AM		disp08	1309009894		B480	

Details	Chronology	Unit	Supplemental
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Event Chronology -- 1309009894

 System Comments

Time	Date	Terminal	Operator	Action
5:24:23 AM	9/8/2013	call08	2261	<p>EVENT CREATED: 117 MARTHA DR CC NUECS , RP: MALE CALLER , Call Source: PHONE , RP Phone: (361) 937-2115</p> <p>Agency: CCPD, Group: B, Beat: B60, Status=P, Status=P, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, EmpID: 0, Current=F, Current=F, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party, Contact: DECLINED</p> <p>Remarks: LOUD MUSIC/PARTY</p> <p>AT ABOVE LOC</p> <p>Agency: CCPD, Group: B, Beat: B60, Status=A, Status=A, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, Primary Unit: B480, EmpID: 8732, Current=F, Current=F, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party, Contact: DECLINED</p>
5:25:38 AM	9/8/2013	disp09	10599	<p>Unit: B470, Status: DP, 117 MARTHA DR CC NUECS, ID: 8429</p>
5:29:28 AM	9/8/2013	disp08	10953	<p>Unit: B480, Status: DP, 117 MARTHA DR CC NUECS, ID: 8732</p>
5:29:29 AM	9/8/2013	disp08	10953	<p>Unit: B480, Status: DP, 117 MARTHA DR CC NUECS, ID: 8732</p>
5:29:38 AM	9/8/2013	\$B480	8732	<p>Unit: B480, Status: ER, 117 MARTHA DR CC NUECS, ID: 8732</p>
5:30:49 AM	9/8/2013	\$B470	8429	<p>Unit: B470, Status: ER, 117 MARTHA DR CC NUECS, ID: 8429</p>
5:37:31 AM	9/8/2013	call08	2261	<p>Remarks: ANO CALL FEMALE CALLER 960-3168 ADV SAME</p>
5:43:18 AM	9/8/2013	disp08	10953	<p>Unit: B480, Status: AR, 117 MARTHA DR CC NUECS, ID: 8732</p>
5:47:51 AM	9/8/2013	disp08	10953	<p>Unit: B470, Status: AR, 117 MARTHA DR CC NUECS, ID: 8429</p>
5:52:05 AM	9/8/2013	disp08	10953	<p>Unit: B480, Status: AM, ID: 8732</p> <p>Remarks: B480 -- CHILDREN TOLD TO GO BACK INSIDE</p> <p>Agency: CCPD, Group: B, Beat: B60, Status=A, Status=A, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, Primary Unit: B480, EmpID: 8732, Current=T, Current=T, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party, Contact: DECLINED</p> <p>EVENT CLOSED</p> <p>Unit: B470, Status: AM, ID: 8429</p>
5:52:06 AM	9/8/2013	disp08	10953	<p>Unit: B470, Status: AM, ID: 8429</p>

Event Information -- 1310005912

Location Information		Caller Information	
Number	117	Name	CLIFF SCHLABACH
Direction		Address	
Street	MARTHA	Phone	(361) 937-2115
Type	DR	Terminal	call07
Suffix		Calltaker ID	10360
Area		Source	
Municipality	CC	Remarks	** LOI search completed at 10/05/13 01:09:18 LOUD PARTY ON BACKSIDE FACING THE CANAL ** Event 1310005912 was viewed at: 10/05/13 01:09:30 ** >>>> by: 11835 on terminal: disp04 ** Event 1310005912 was viewed at: 10/05/13 01:09:44 ** >>>> by: 11835 on terminal: disp04 ** Event 1310005912 was viewed at: 10/05/13 01:10:21 ** >>>> by: 11835 on terminal: disp04 ** Event 1310005912 was viewed at: 10/05/13 01:10:25 ** >>>> by: 11835 on terminal: disp04 ** Event 1310005912 was viewed at: 10/05/13 01:17:57 ** >>>> by: 11835 on terminal: disp04 B465 -- ALL QUIET ** Event 1310005912 closed.
Apartment		Case Numbers	
X-Street 1		Disp Codes	CL
X-Street 2			
Date	10/5/2013		
Event Type	LOUD -- Noise Ordinance Violation [MUSIC]		
Building			
County	NUECS		
State			

Agency	P	Esz	Area	DGroup	Add	Dispatch	Arrive	Close	Cls ID	Cls Term	Event	CommentsPrim	Unit	Situation
CCPD	5	6028	B60	B	1:09:17 AM	1:10:31 AM	1:19:39 AM	1:23:21 AM		disp04	1310005912		B465	

Details	Chronology	Unit	Supplemental
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Event Chronology -- 1310005912

System Comments

Time	Date	Terminal Operator	Action
1:09:17 AM	10/5/2013	call07 10360	EVENT CREATED: 117 MARTHA DR CC NUECS
1:09:18 AM	10/5/2013	call07 10360	Agency: CCPD, Group: B, Beat: B60, Status=P, Status=P, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, EmpID: 0, Current=F, Current=F, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party
1:09:19 AM	10/5/2013	call07 10360	Remarks: LOUD PARTY
1:09:24 AM	10/5/2013	call07 10360	Remarks: ON BACKSIDE FACING THE CANAL
1:09:30 AM	10/5/2013	disp04 11835	Agency: CCPD, Group: B, Beat: B60, Status=P, Status=P, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, EmpID: 0, Current=F, Current=F, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party
1:09:39 AM	10/5/2013	call07 10360	EVENT UPDATED: 117 MARTHA DR CC NUECS , RP: CLIFF SCHLABACH , RP Phone: (361) 937-2115
			Agency: CCPD, Group: B, Beat: B60, Status=A, Status=A, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, Primary Unit: B465, EmpID: 11763, Current=F, Current=F, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party, Contact: DECLINED
1:10:31 AM	10/5/2013	disp04 11835	Unit: B465, Status: DP, 117 MARTHA DR CC NUECS, ID: 11763 Unit: B465, Status: DP, 117 MARTHA DR CC NUECS, ID: 9640
1:10:36 AM	10/5/2013	\$B465 11763	Unit: B465, Status: ER, 117 MARTHA DR CC NUECS, ID: 11763 Unit: B465, Status: ER, 117 MARTHA DR CC NUECS, ID: 9640
1:19:39 AM	10/5/2013	disp04 11835	Unit: B465, Status: AR, 117 MARTHA DR CC NUECS, ID: 11763 Unit: B465, Status: AR, 117 MARTHA DR CC NUECS, ID: 9640
1:23:20 AM	10/5/2013	disp04 11835	Remarks: B465 -- ALL QUIET
1:23:21 AM	10/5/2013	disp04 11835	Agency: CCPD, Group: B, Beat: B60, Status=A, Status=A, Priority: 5, ETA=0, ETA=0, Hold Type=0, Hold Type=0, Primary Unit: B465, EmpID: 11763, Current=T, Current=T, Open Current=F, Open Current=F, Type: LOUD-Noise Ordinance Violation, SubType: MUSIC-Music or Party, Contact: DECLINED
			EVENT CLOSED
			Unit: B465, Status: AM, ID: 11763
			Unit: B465, Status: AM, ID: 9640



Bluff's Landing Marina Bait and Tackle

4242 Laguna Shores Rd, Corpus Christi, Texas 78418

T-361-937-7100 F-361-937-7101

www.bluffslanding.com

Dear Barbara Abel, *Agan,*

Bluff's Landing Marina would like to invite you to a meeting to discuss our request to rezone our recently acquired home on 117 Martha to a bed and breakfast. We would like to hear your feedback and share with you our vision to make Bluff's Landing Marina a continued success and to be a positive influence in our community.

We would like to share a few things that the marina has contributed to the neighborhood. The marina, hotel, and restaurant are responsible for employing over 60 people directly and indirectly. We have helped to clean up the waterfront and eliminate the prevalent drug problem that plagued our area. This reduction in crime attributed itself to raising property values. Last year we installed the orange oil boom to greatly reduce the invasion of sea grass not only into our harbor but yours as well.

This venture has cost over \$10,000,000, but aside from the monetary investment it has been a lot of hard work to get the marina to become a success. We have been tremendously involved and focused on making the marina successful that we have made a few oversights. The house on 117 Martha was one of them. We apologize for this and would like to invite you to this meeting so that we can share our ideas that will hopefully set everyone's minds to ease.

We will follow the law that governs a bed and breakfast. In addition to this if ever a problem arises the manager Mike Beers and his wife Jane Beers live 3 minutes down Laguna Shores Road. We will give you all our personal cell phone numbers so that we can be reached any hour of the day.

We hope you can join us to discuss how we can help each other and make our part of Flour Bluff a friendly and pleasant place to be.

Thank you for your time,

Mike Beers
Manager
512-632-1897

Mick Linares
Assistant Manager
512-699-7349

Jane Beers
Hotel Manager
512-970-7831

Meeting Info

Date: Thursday, January 9th, 2014

Location: 117 Martha Drive
Corpus Christi, TX 78418

Time: 5:30 pm

Summary of Discussion Meeting
with Owner on 1/9/14

- * Owner was represented by Bluff's Landing manager, Mike Beers and assistant manager, Mick Linares. Also in participation was City Staff of Development Services and the project manager, Annika Gunning. In addition District 4 City Council Representative Colleen McIntyre participated. There were 15 neighborhood property owners representing opposition.
- * Mike Beers, BL manager advised at the start they were the two managers and did not know Bed and Breakfast rules, they were just hired to manage. They now are aware of the complaints and issues and will do a better job with assist from the cell phones. And if the neighborhood property owners resist the proposed B&B permit they will not have influence over who BL might lease/rent to on a long term basis.
- * It was pointed out that this was the second time that same owner has attempted to invade the neighborhood with a B&B vacation party house. The permit was defeated by City Council. This further confirms that owner knew the operation was outside the UDC. The owner currently operates a B&B Inn at another location.
- * A critical portion of the discussion centered around the UDC definition of a Bed and Breakfast Home is "a private, owner-occupied residence". A very broad interpretation of this definition has been submitted by city staff that allows since the residence is owned by a business entity for their staff employee to stay on the premises while it is being rented or maybe needs to just live there. This would clearly be a change in the UDC and require further legal work and passage. It was suggested that the city representatives revisit the definition as written and should align with the voting and tax paying property owners of the neighborhood. This invasion is just awful.

Laguna Madre Cove
Neighborhood Association
206 Whiteley
Corpus Christi, Tx 78418

January 11, 2014

Development Services Department
P.O. Box 9277
Corpus Christi, Tx 78469-9277

Attention: Annika Gunning, project manager

Dear Ms Gunning:

The Laguna Madre Cove Neighborhood Association supports its members and joins them in opposition to the granting of a Special Permit for a Bed and Breakfast at 117 Martha.

The results of this B&B vacation party house have and will continue to diminish property values, reduce privacy and home enjoyment which gives need for increased security. Trash pollutes the canal, fishing laws ignored, noise levels escalate with all night parties. This is an unprecedented invasion of a zoned residential neighborhood by and for a commercial enterprise

Sincerely,



Windle Lee, President



Vern Tobias, Secretary Treasurer



Andrew Agan, Vice-President