

SMALL-SCALE BEACHFRONT CONSTRUCTION FOR MITIGATION

CASE BD9253

APPLICANT & SUBJECT PROPERTY

Owner: EMMBH LLC

Applicant: Emmons Investments LLC

Address: 106 Beach View Drive, located along the east side of Beach View Drive, east of State Highway 361 (SH-361), west of the Gulf of Mexico, and north of Wilsons Cut Road.

Legal Description: Lot 16, Block 1, Beach View Estates

Plat Status: The property is platted.

Acreage of Subject Property: 0.88

Code Violations: None.

PURPOSE OF REQUEST

The purpose of the request is to complete the installation of a 287-cubic-yard compensatory dune and 5,090 square feet of dune vegetation, as originally authorized by the Beachfront Construction Certificate issued on February 8, 2021, which has since expired, to offset impacts from the construction of a single-family residence and its associated amenities, which resulted into the disturbance of dunes on the property.

Pursuant to the **City of Corpus Christi Municipal Code Section §10-18**, proposed construction seaward of the erosion area line, erosion area restriction line, shall be forwarded to the concurrent beach/dune committee.

PUBLIC HEARINGS & NOTIFICATIONS

Planning Commission

March 18, 2026

42 Notices mailed to property owners within 200 feet of the subject property

0

In Opposition

0

In Favor

0

In Opposition

0

Individual Property Owners in Opposition

APPLICABLE STATE STATUTES, LOCAL CODES, AND ORDINANCES

Construction Activities, Tex. Nat. Res §61.001, Corpus Christi Municipal Code §10-1

Defines "Construction Activities" as means causing or carrying out any building, bulkheading, filling, clearing, excavation, or substantial improvement to land or the size of any structure.

"Building" includes, but is not limited to, all related site work and placement of construction materials on the site. "Filling" includes, but is not limited to, disposal of dredged materials.

"Excavation" includes, but is not limited to, removal or alteration of dunes and dune vegetation and scraping, grading, or dredging a site. "Substantial improvements to land or the size of any structure" include, but are not limited to, the creation of vehicular or pedestrian trails, landscape work that adversely affects dunes or dune vegetation, and increasing the size of any structure.

Dune Protection Line, Tex. Nat. Res §62.051

Defines the "Dune Protection Line" as a line within 1,000 feet landward of the mean high tide of the Gulf of Mexico.

Requires construction seaward of the “Dune Protection Line” to apply for a **Dune Protection Permit**. *Jurisdiction: Nueces County for properties in Nueces County, City of Corpus Christi for Kleberg County.*

Beachfront Construction Line, Tex. Nat. Res §61.015, Corpus Christi Municipal Code §10.15, and UDC §3.14

Defines the “Beachfront Construction Line” as a line within 1,000 feet landward of the mean high tide or seaward of the first public road, **whichever is greater**.

Requires construction seaward of the Beachfront Construction Line to apply for a **Beachfront Construction Certificate**. *Jurisdiction: City of Corpus Christi*

Erosion Area Line

Corpus Christi Municipal Code §10.1

Defines the “Erosion Area Line” as an imaginary line projected landward from the vegetation line into the future for a period of fifty (50) years determined by multiplying fifty (50) years by annual historical erosion or two hundred (200) feet, **whichever is greater**.

Requires construction seaward of the Erosion Area Line to apply for a **Beachfront Construction Certificate**. *Jurisdiction: City of Corpus Christi (Beach/Dune Committee of the Planning Commission)*

Mitigation

Corpus Christi Municipal Code §10.29

Defines “Mitigation” as repairing, rehabilitating, or restoring affected dunes and dune vegetation.

Compensation

Corpus Christi Municipal Code §10.29

Defines “Compensation” as compensating for effects on dunes and dune vegetation by replacing or providing substitute dunes and dune vegetation. Compensation consists of replacement of the affected dunes or dune vegetation on the site where the dunes and dune vegetation were originally located.

Background:

The subject property is a 0.88-acre lot developed with a single-family residence and pool within the Padre/Mustang Island Area Development Plan boundaries and the Beach View Estates subdivision, located on the east side of State Highway 361 (SH-361) and north of Wilson’s Cut Channel. The lot fronts Beach View Drive, with the proposed construction occurring east of the developed portion of the parcel.

In 2021, the applicant obtained a Beachfront Construction Certificate for a single-family residence, swimming pool, a 6-foot-wide dune walkover, and compensatory dune work. Although the certificate was later amended to remove the walkover, the residence and pool were constructed; however, the required compensatory dune work—mitigating impacts to approximately 287 cubic yards of dune material and 5,020 square feet of dune vegetation—

was not completed. Because the certificate has since expired, a new application is required to authorize the outstanding mitigation work. Refer to Attachment B.

Construction activities, as defined in Texas Natural Resources Code §61.001 and Corpus Christi Municipal Code §10-1, involve building a compensatory dune at a 1:1 ratio using locally sourced material. The dune will be located approximately 160 feet landward of the line of vegetation and 300 feet landward of the mean high tide line. Refer to Attachment B.

Existing native vegetation, topsoil, and seed stock—matching species found in naturally occurring dunes—will be stored onsite and reused to vegetate the compensatory dune.

Per Municipal Code §10-18, Beachfront Construction applications must be forwarded to the Beach/Dune Committee for a hearing when construction is proposed seaward of the Erosion Area Line. A portion of the 287-cubic-yard compensatory dune will be located seaward of this line.

Staff Analysis:

Staff reviewed the subject property's background information and the applicant's purpose for the request. Staff also observed that all the required findings for the Concurrent Beach/Dune Committee have been adequately met and the General Land Office's comments have been satisfied.

Staff Recommendation:

After evaluation of the permit request information, supplemental documentation, and review of the proposed mitigation plan, staff recommends **approval** of the Small-Scale Beachfront Construction Certificate.

Attachment(s):

- (A) Existing Property Aerial Map
- (B) Site Map
- (C) Proposed Mitigation Map
- (D) Topographic Survey
- (E) Construction Ingress and Egress
- (F) General Land Office Comments
- (G) Approved Dune Protection Permit

(A) Exiting Property Aerial Map

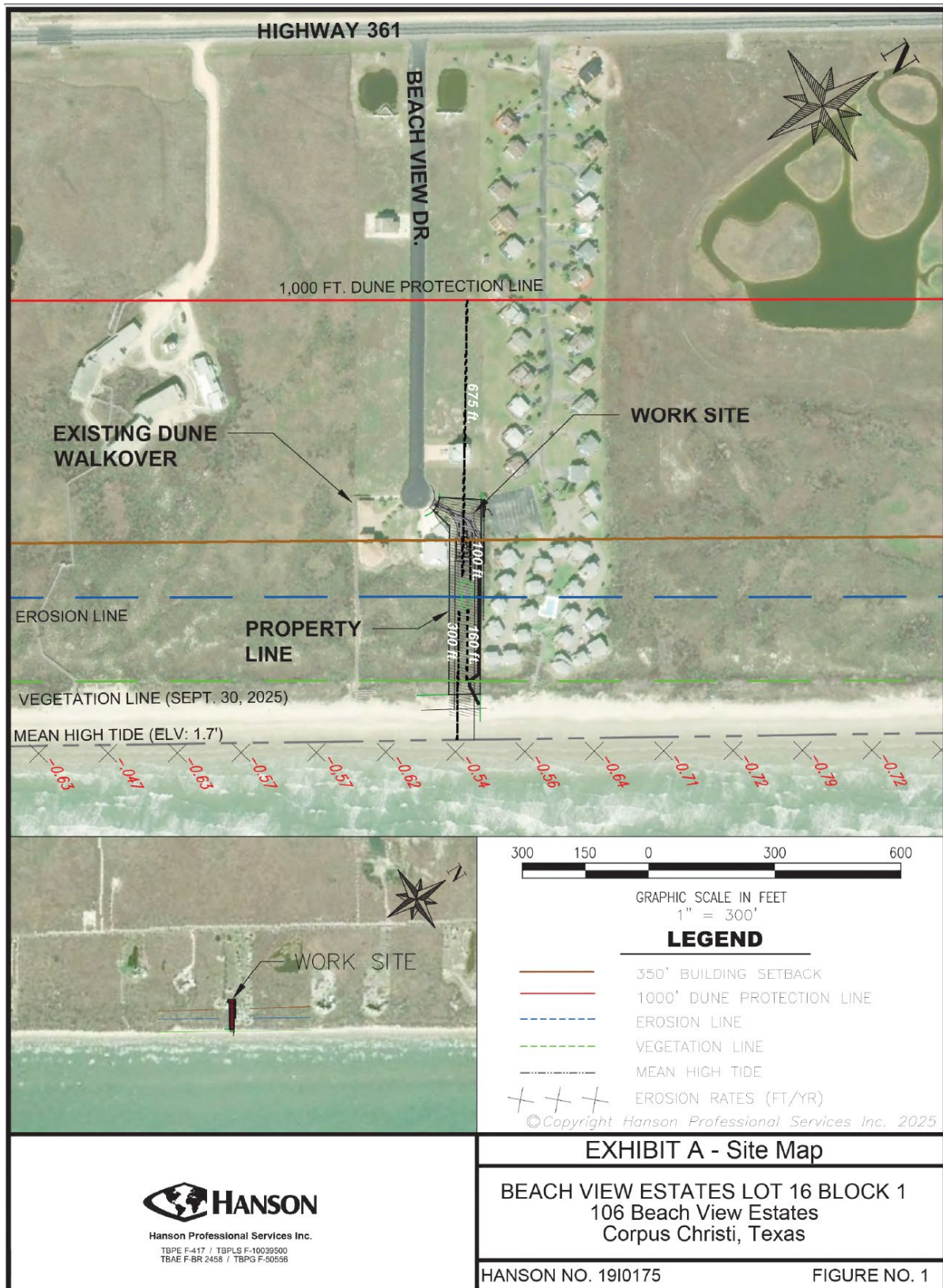


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- - - 350 ft Setback Line
- - - 200 ft Erosion Line
- - - Vegetation Line
- - - Mean High Tide
- - - Beachfront Const. Line



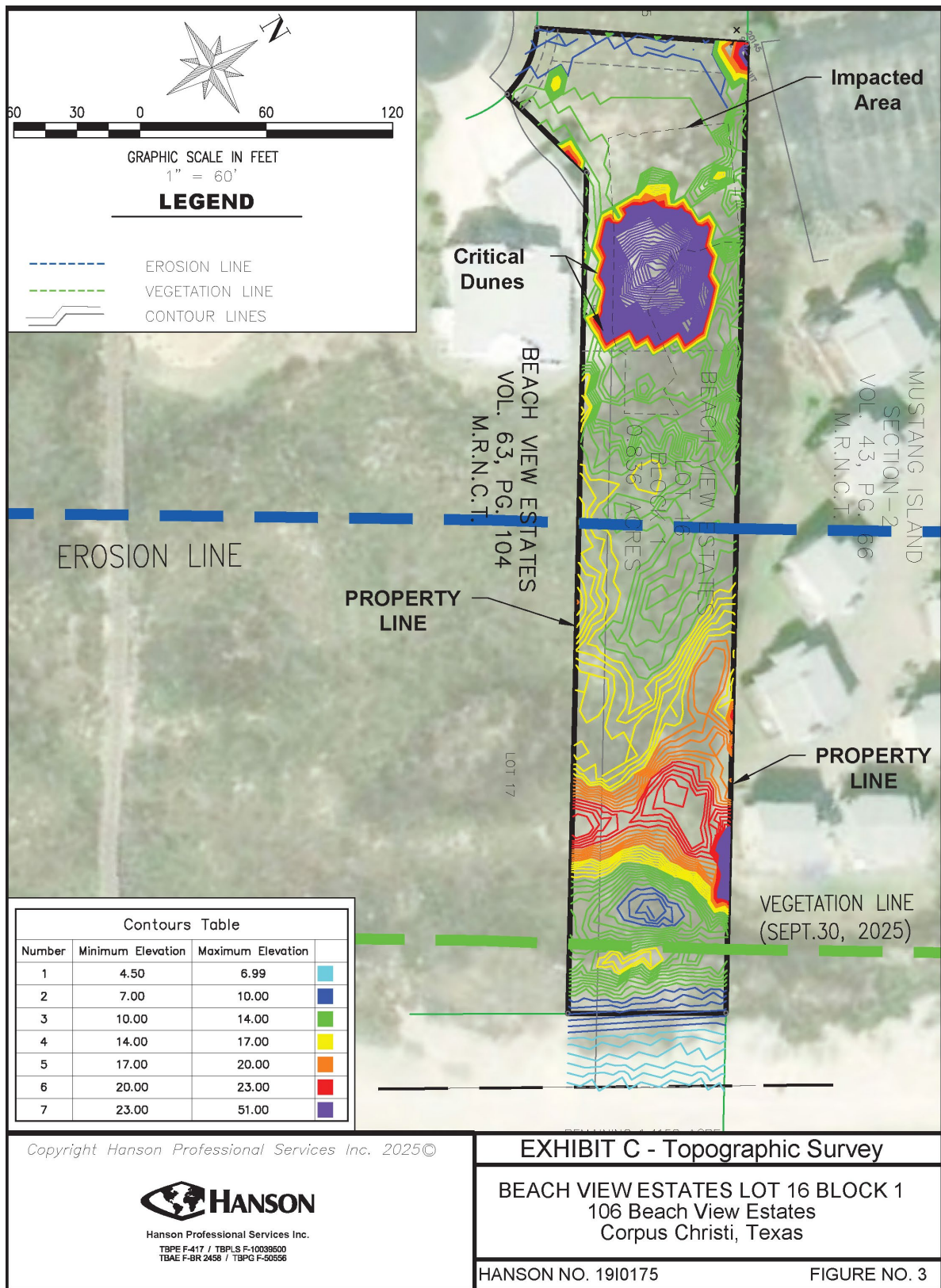
(B) Site Map



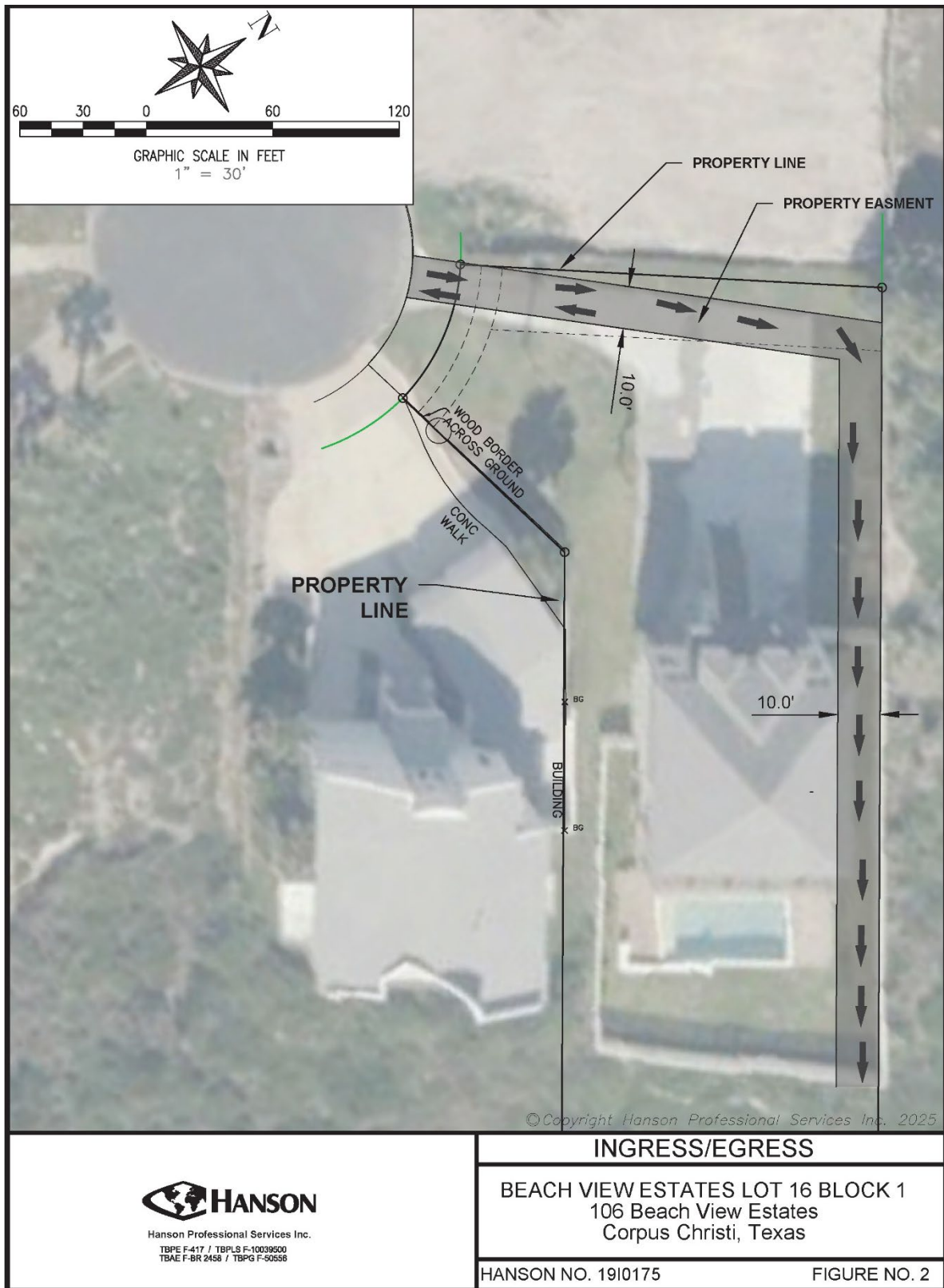
(C) Proposed Mitigation Map



(D) Topographic Survey



(E) Ingress/Egress



(F) Texas General Land Office Comments



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

May 15, 2026

Via Electronic Mail

Saradja Registre
City Planner
City of Corpus Christi – Development Services
2406 Leopard Street
Corpus Christi, Texas 78408

Beachfront Construction Certificate in the City of Corpus Christi

Site Address: 106 Beach View Estates, Corpus Christi
Legal Description: Beach View Estates, Lot 16, Blk 1 and Mustang Island Section 2, 0.4158 acres out of Lot 51, Blk 1
Lot Applicant: Sandi Hart c/o Emmons Investments LLC
City Case No.: BD9253
GLO ID No.: BDCC-26-0068

Dear Ms. Registre:

The General Land Office (GLO) has reviewed the application materials for a Beachfront Construction Certificate (BCC) for the above-referenced location. The applicant previously obtained a BCC to construct a single-family residence with a swimming pool and a 6-foot-wide dune walkover for golf cart access, to adversely impact approximately 5,028 square feet of dune vegetation and 287 cubic yards of dunes, and to mitigate for those impacts with 5,090 square feet of dune vegetation and 287 cubic yards of dunes. The permittee built the single-family residence and pool but did not complete the required mitigation for the adverse impacts or the dune walkover, and the permit has since expired. The applicant proposes to complete the required mitigation for 5,090 square feet of dune vegetation and 287 cubic yards of dune material. According to the Bureau of Economic Geology, the area is eroding at a rate of four to five feet per year.

Based on the information provided to our office for review, we have the following comments:

- This application does not include the construction of the previously proposed dune walkover that was not constructed. If the applicant still wishes to construct the dune walkover the applicant must obtain a new or amended dune protection permit from Nueces County and a beachfront construction certificate from the City of Corpus Christi before construction commences.
- The City shall not issue a certificate authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties, critical dune areas, or the public beach.¹

¹ 31 Tex. Admin. Code § 15.6(h).

Ms. Registre
May 15, 2026
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In the event of a material change to the site conditions or the proposed construction, a new or amended beachfront construction certificate and dune protection permit is required.² If you have any questions, please contact me at (512) 463-5234 or at lauren.medlin@glo.texas.gov.

Sincerely,



Lauren Medlin
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

² 31 Tex. Admin. Code § 15.3(i)(5).