# Item 5



# **Travis County Commissioners Court Agenda Request**

Meeting Date: July 30, 2013

Prepared By: Paul Scoggins Phone #: (512) 854-7619

Division Director/Manager: Anna Bowlin, Division Director of Development

Services and Long Range Planning

Department Head: Steven M. Maoilla, P.E., County Executive-TNR Sponsoring Court Member: Commissioner Davis, Precinct One

**AGENDA LANGUAGE**: Consider and take appropriate action on the use of an Alternative Fiscal Agreement for Sorento, Phase 2 - Precinct One.

#### **BACKGROUND/SUMMARY OF REQUEST:**

The developer of the subject subdivision requests to enter into an Alternative Fiscal Agreement with Travis County. Under the Alternative Fiscal Agreement the plat will be held in abeyance while the street and drainage facilities are constructed.

## **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff which finds the use of the subject agreement meets all Travis County standards. As such, TNR staff recommends the approval of the proposed motion.

## **ISSUES AND OPPORTUNITIES:**

Under the Alternative Fiscal the County Executive of TNR holds the plat in abeyance and, upon completion of the items listed below, the Division Director of Development Services and Long Range Planning authorizes the issuance of a Basic Development Permit for construction of streets and drainage facilities.

#### Plat Status

Staff has reviewed the plat and all comments have been addressed. It meets current standards and has everything in place such that it could be recommended for approval and recordation at this time.

#### Restoration/Erosion Control Fiscal

The fiscal for the subdivision restoration and improvements has been posted with Travis County using a letter of credit in the amount of \$331,756.50.

## Access to Publicly Maintained Road

Sorento, Phase 2 takes access from Weiss Lane, a street maintained by Travis County.

Waste Water Service

Wastewater service for this subdivision will be provided by the City of Pflugerville.

Construction Plans and Engineer's Estimate of Construction Cost Approved All comments by Travis County staff have been addressed and the reviewer is prepared to sign the cover sheets of the plans and issue the permit that was applied for through application #2375. The estimated cost of the improvements is \$2,069,770.60. This amount includes all costs related to the construction of all streets and drainage facilities (including temporary erosion controls and all structures contributing to the total detention).

The developer has signed the attached statement acknowledging that this action does not imply or guarantee plat approval by the Commissioners Court and that he/she understands the constraints related to the use of Alternate Fiscal. An Extension of Sixty-Day Period for Completed Plat Application Final Action is also included.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None.

#### **ATTACHMENTS/EXHIBITS:**

Alternative Fiscal Acknowledgment Exhibit "A" – Description Extension of Sixty-Day Period Maps

## **REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429
Anna Bowlin	Division Director	Development Services & Long Range Planning	(512) 854-7561
CC:			

SM:AB:ps

§EXHIBIT 82.401 (D)

(d) Alternative Fiscal Policy Request and Acknowledgement

STATE OF TEXAS §

COUNTY OF TRAVIS §

TO THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS:

The undersigned Owner proposes to subdivide that certain tract of land more particularly described in Exhibit "A", which is attached hereto and made a part hereof. The owner requests that the Travis County's Transportation and Natural Resources Department ("TNR") hold the proposed plat of the land in abeyance until all of the proposed subdivision Improvements have been constructed to Travis County Standards for the Construction of Streets and Drainage in Subdivision (the "Standards") to the satisfaction of the Executive Manager of TNR. In order to qualify for this Alternative Fiscal Policy, the proposed subdivision must meet the access criteria set forth in the Standards.

Under this Policy, the Owner is not required to post fiscal Security to secure the construction of the Improvements, but is required to obtain a Travis County Development Permit. The owner will be required to post fiscal for boundary street improvements if they are not to be completed during the construction of the Improvements. Additionally, the Owner shall file Security with the submitted Final Plat to secure restoration of disturbed areas should construction not be completed.

Upon satisfactory completion of the Improvements, the submitted plat shall be forwarded by TNR to the Commissioners Court for approval and recording.

If the Owner elects to proceed under this option, the Owner acknowledges and agrees that, until the plat is filed the Owner may not use the proposed subdivision's description in a contract to convey real property, unless the conveyance is expressly contingent on the recording and approval of the final plat and the purchaser is not given the use or the occupancy of the real property before the recording of the final plat, under penalty of prosecution under Section 12.002 of the Texas Property Code. In addition, the approval of Alternative Fiscal in no way constitutes approval of the proposed plat.

If the plat is to be approved and filed, the Owner must post Security in the amount of 10% of the cost of the Improvements to secure the performance of the construction of the Improvements for one year from the date of the approval of the plat and the acceptance of the construction by the County.

Executed this day of
OWNER: SORENTO HOLDINGS 2012 LLC
Ву:
Name: David Name.
Title:
TRAVIS COUNTY, TEXAS By:
County Judge
ACKNOWLEDGEMENT
STATE OF TEXAS § §
COUNTY OF TRAVIS §
This instrument was acknowledged before me by David Nair on the 11th day of July, 2817, in the capacity stated herein.
Miles
Notary Public in and for the State of Texas
MICHAEL N. BLUE Notary Public, State of Texas My Commission Expires October 12, 2016  Michael N. BLUE Notary Public, State of Texas Printed or typed name of notary
My commission
expires: 10/12/16

### ACKNOWLEDGEMENT

STATE OF TEXAS	§	
	§	
COUNTY OF TRAVIS	§	
This instrument was acknowledge	owledged before me by	on theday of
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Mailing Address of Owner	Γ:	



#### LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

#### FIELD NOTES

#### **FOR**

A 25.967 acre, or 1,131,108 square feet more or less, tract of land out of a called 119.023 acre tract recorded in Document No. 2012164042, of the Official Public Records of Travis County, Texas and out of a called 237.56 acre tract of land recorded in Document No. 2012164042 of the Official Public Records of Travis County, Texas, out of the John C. Bray, Survey No. 10, Abstract 73, in the City of Pflugerville, Travis, County, Texas. Said 25.967 acre tract being more fully described as follows, with the bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the Central Zone:

BEGINNING: From a for

From a found ½" iron rod, a southwest corner of said called 119.023 acre tract, a point in the east right of way line of said Weiss Lane, a variable width right-of-way and the northwest corner of a called 2.00 acre tract recorded in Document No. 2000087383 of the Official Public Records of Travis County, Texas,

THENCE:

N 27°09'33" E, along and with the west line of said called 119.023 acre tract and the east right of way line of said Weiss Lane, a distance of 366.72 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", a point in the west line of said called 119.023 acre tract and the east right of way line of said Weiss Lane;

THENCE:

Departing the west line of said called 119.023 acre tract and the east right of way line of said called Weiss Lane, over and across said called 119.023 acre tract the following calls and distances;

S 62°33'35" E, a distance of 197.66 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 48°00'33" E, a distance of 246.27 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 62°34'20" E, a distance of 343.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 27°25'40" E, a distance of 18.51 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 62°34'20" E, a distance of 250.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 27°25'40" W, a distance of 90.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 62°34'20" E, a distance of 114.67 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 27°25'40" W, a distance of 425.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 62°34'20" E, a distance of 7.50 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE:

S 27°25'40" W, at a distance of 329.01 feet passing the south line of said called 119.023 acre tract and the north line of the aforementioned 237.56 acre tract for a total distance of 350.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE:

Continuing over and across said called 237.56 acre tract the following calls and distances;

N 62°34'20" W, a distance of 27.55 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 27°25'40" W, a distance of 125.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 10°02'52" W, a distance of 105.89 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Southwesterly, along a non-tangent curve to the left, having a radial bearing of S 15°36'54" W, a radius of 50.00 feet, a central angle of 91°28'28", a chord bearing and distance of S 59°52'40" W, 71.61 feet, an arc length of 79.83 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 75°51'34" W, a distance of 116.27 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";



N 78°09'58" W, a distance of 125.01 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 78°49'49" W, a distance of 60.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northeasterly, along a non-tangent curve to the right, having a radial bearing of S 78°49'49" E, a radius of 1190.00 feet, a central angle of 03°20'14", a chord bearing and distance of N 12°50'18" E, 69.30 feet, an arc length of 69.31 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 74°46'54" W, a distance of 27.12 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a curve to the left, said curve having radius of 540.00 feet, a central angle of 14°15'49", a chord bearing and distance of N 81°54'48" W, 134.08 feet, an arc length of 134.43 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 89°02'43" W, a distance of 48.49 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a non-tangent curve to the right, having a radial bearing of N 43°52'36" W, a radius of 85.00 feet, a central angle of 108°33'33", a chord bearing and distance of N 79°35'49" W, 138.02 feet, an arc length of 161.05 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a reverse curve to the left, said curve having radius of 57.00 feet, a central angle of 15°41'56", a chord bearing and distance of N 33°10'01" W, 15.57 feet, an arc length of 15.62 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 82°12'50" W, a distance of 118.94 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 74°46'54" W, a distance of 88.44 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 69°14'09" W, a distance of 59.34 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";



S 80°09'02" W, a distance of 67.05 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 46°26'16" W, a distance of 88.82 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 09°03'08" W, a distance of 96.70 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 06°34'16" W, a distance of 70.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 84°28'14" W, a distance of 25.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northeasterly, along a non-tangent curve to the right, having a radial bearing of S 84°28'14" E, a radius of 1950.00 feet, a central angle of 09°49'23", a chord bearing and distance of N 10°26'27" E, 333.91 feet, an arc length of 334.32 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 62°25'21" W, a distance of 9.10 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Southwesterly, along a non-tangent curve to the left, said curve having a radial bearing of S 22°29'36" W, a radius of 25.17 feet, a central angle of 84°54'23", a chord bearing and distance of S 70°02'25" W, 33.98 feet, an arc length of 37.30 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 62°25'34" W, a distance of 28.83 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", a point in the west line of said called 119.023 acre tract and a point in the east right of way line of said Weiss Lane;

THENCE:

N 27°34'39" E, along and with the west line of said called 237.56 acre tract and the east line of said Weiss Lane, a distance of 484.64 feet to a found ½" iron rod, a northwest corner of said called 237.56 acre tract, a point in the east right of way line of said Weiss Lane and the southwest corner of a called 2.0 acre tract recorded in Volume 13357, Page 889 of the Real Property Records of Travis County, Texas;

THENCE:

S 62°35'23" E, at a distance of 335.27 feet passing a found ½" iron rod, the southeast corner of said called 2.00 acre tract and the southwest corner of a



called 3.0 acre tract recorded in Document No. 1999148172 of the Official Public Records of Travis County, Texas, continuing along and with the north line of said called 237.56 acre tract and the south line of said called 3.0 acre tract for a total distance of a distance of 586.71 feet to a found ½" iron rod, a point in the north line of said called 237.56 acre tract, the southeast corner of said called 3.0 acre tract and a south corner of the aforementioned 119.023 acre tract;

THENCE:

N 27°19'31" E, departing the north line of said called 237.56 acre tract, along and with an east line of said called 119.023 acre tract and the west line of said called 3.0 acre tract, a distance of 520.15 feet to a found ½" iron rod, a southwest corner of said called 119.023 acre tract and the northeast corner of said called 3.0 acre tract;

THENCE:

N 62°33'53" W, along the north line of said called 3.0 acre tract, at a distance of 251.16 feet passing the northwest corner of said called 3.0 acre tract and the northeast corner of the aforementioned called 2.0 acre tract recorded in Document No. 20000087383, continuing along and with a south line of said called 119.023 acre tract and the north line of said called 2.0 acre tract for a total distance of 585.62 feet to the POINT OF BEGINNING and containing 25.967 acres in the City of Pflugerville, Travis County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under Job No. 50703-52 by Pape Dawson Engineers, Inc.

PREPARED BY:

Pape-Dawson Engineers, Inc.

DATE:

February 10, 2013

JOB No.:

50703-52

DOC.ID.:

H:\AUSTIN SURVEY\CIVIL\50703-52\WORD\Phase 2 Field Notes.docx

TBPE Firm Registration #470

TBPLS Firm Registration #100288-00



# EXHIBIT 82.201(C) EXTENSION OF SIXTY-DAY PERIOD FOR COMPLETED PLAT APPLICATION FINAL ACTION

Date: 5/21/13	
Owner's Name and Address:	Sprento Holdings 2012, UC  3 SAN JOAQUIN, SUTE 100  Non Port BEACH, CA 92660
Proposed Subdivision Name a	and Legal Description (the "Property"):
Natural Resources Departme action to be taken on a Comp by mutual agreement and	the County Executive of Travis County Transportation and the threeby agree that the sixty (60) day period for final leted Plat Application for the Property is hereby extended without compulsion until the date that all subdivision to Travis County standards to the satisfaction of the
Executed and affective as of the	ne date set forth below.
Owner: Sociato Hero,	s65 Zolz, LC
Name: THOMAS J.	- Krelly
Title: Fres. Set Authorized Represent	ative

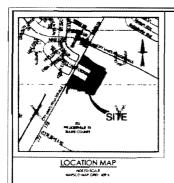
(Printed Name of Notary)

After Completing Return To:

Travis County, Texas
Transportation and Natural Resources Department
P.O. Box 1748
Austin, Texas 78767-1748

STATE OF TEXAS
Commission Exp. APRIL 17, 2014

Attention: Michael Hettenhausen, Planner



#### FINAL PLAT OF

#### SORENTO PHASE 2

A 25/67 ACRES, OR 1 131,108 SQUARE FRET, MORE OR LESS TRACT OF LAND 185KG A PORTION OF THAT CRETINE GRAIDS 11 1903 ACRE TRACT OF LAND AND A CALLED 25% A CREE TRACT OF LAND CONVEYED TO 10044470 HOLDINGS 2012 LLC IN DOCUMENT AN 2017/14/801 by THAT CREECE, 12-8KC RECORDS OF REAVY SCOWNT ERAS SIMPLE ON THE JOSH C SERV SURVEY.

# TRAVIS COUNTY CONSUMER PROTECTION NOTICE FOR HOMEBUYERS

IF YOU ARE BUYING A LOT OR HOME, YOU SHOULD DETERMINE WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS.

DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS.

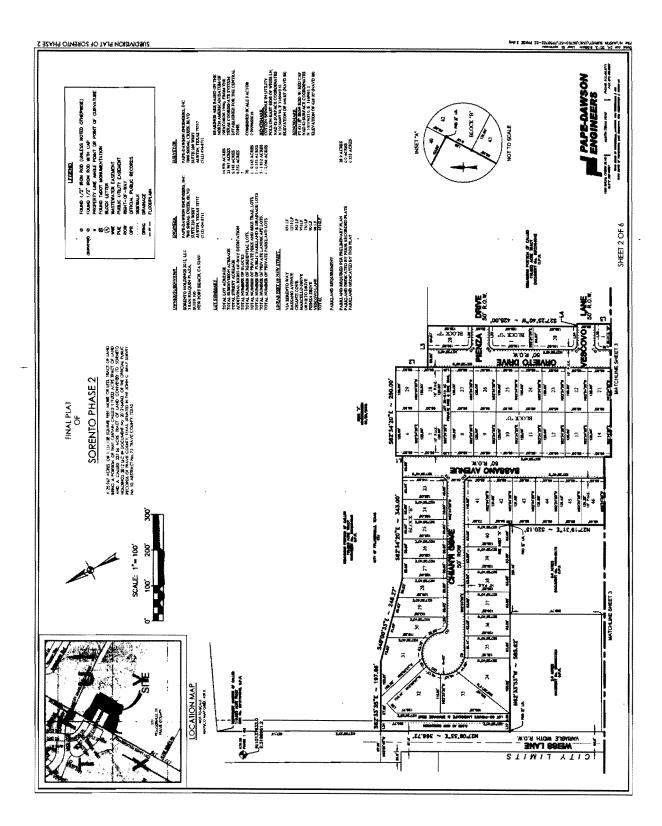
BECAUSE OF THIS, LOCAL GOVERNMENT MAY NOT BE ABLE TO RESTRICT THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE LOT OR HOME NOR PROHIBIT NEARBY LAND USES THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD.

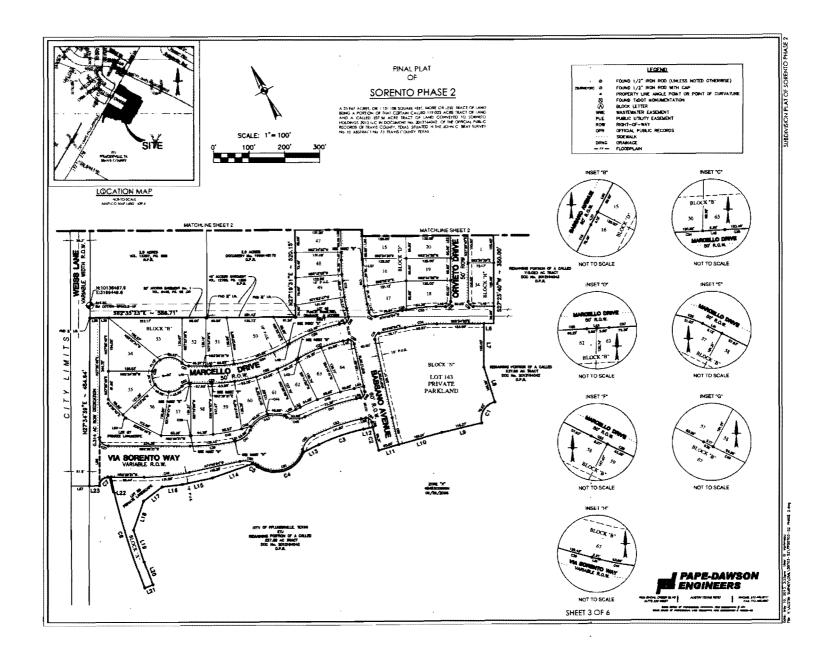
THIS CAN AFFECT THE VALUE OF YOUR PROPERTY. TRAVIS COUNTY REQUIRES THIS NOTICE TO BE PLACED ON SUBDIVISION PLATS. IT IS NOT A STATEMENT OR REPRESENTATION OF THE OWNER OF THE PROPERTY, THE SUBDIVIDER, OR THEIR REPRESENTATIVES.

PAPE-DAWSON ENGINEERS

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SHEET 1 OF 6





# FINAL PLAT

# SORENTO PHASE 2

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LINETABLE	CHRAZE BEARING	16.85 ×2775 ×07.	90.00 E2725-479	114.A7 20234'20'E	Tarkeral Ne.	39 00. SE 128 10'W	27 M. MAC 34 20'M	125.00 32725 co'te	145.48° S10702°52°W	HAZT MTSS: 36'M	125.01 HIRTHING	90.00 H78746*48**	WASHING SAIN	A.C. DAMES AND PR	140.5 WEZ12'80'R	MAN NAVATSE'N	36.54 MEST (19.00)	#7.00 SBCC#17#	M. C. Sally G. V.	# 70 SOND OR #	**************************************	22.00 N84281-0'B	4,42,5129N .014	TAKETON LANG	THE SATISFIE	37.44 W745633T	#1 15 MEZ 34 200 W	27 41 NG23578	22.14 MEZZYST'R	A.18 NOTZZ38T	25.00° 42.735'40'E

SHEET 4 OF 6

# FINAL PLAT OF

# SORENTO PHASE 2

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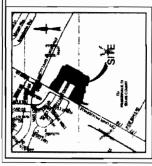
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SORENTO PHASE 2 FINAL PLAT OF

LOCATION MAP

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 CONNECTED TO A APPROVIDE SYSTEM SYSTEM OF SYBIOLIZER OF THIS
 SABOYAGOW SHALL BE GOCCIPIED UNTIL CONNECTED TO A WAYES
 SYSTEM APPRUVED BY THE TEXAS SYATE DRIVATION (IF HEALTH ALL STREETS IN THIS SUBDIVISION SHALL BE CONSTRUCTED WITH CONCINET CURB AND GUTTER. A TRAVIS COUNTY DEVELORMENT PEDIATI IS REQUIRED PRIOR TO ANY SITE DEVELORMENT

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NOOBBETTS, INCLUDING, BITT NOT LIMITED TO BUILDINKEN, FENCES OR LANDSCAPING SHALL BE ALLOWED IN A FRAUNCE EANBAINT EXCHET AS AFFIOWED BY TRAVES COLNEY AND THE CITY OF FRAUDEN FILE.

THE PROPERTY OWNER OF HELF ASSIGNS SWALL PROVIDE FOR ACCESS OF THE CARRANGE AGENCY AS HE REPURSARY AND SWALL HOT PROBIBITY ACCESS BY THE CITY OF PRUGENYLLE, AND SANYS COUNTY PUR INSPECTION OR MAINTENANCE OF ALLD.

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THIS SUBDIVISION IS SUBJECT TO ALL CITY OF PRINCERVILLE ORDERVANCES RELATED TO TRUE PRESERVATION

PUBLIC PARKLAND SHALL BE OWNED AND MADPIADED BY TRAVIS ON SHATT WE WITHOUT BY CLANGKAPE LOTS ON THE CAN BE AND MADPIANED BY THE HONDRAND AND MICE & BREE TRAIL UNTS. SHALL BE OWNED AND MADPIANINED BY THE HONDRANDES S ASSOCIATION (RIOA)

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STATE OF TEXAS. EMONY ALL MEN BY THESE PRESENTS CICINITY OF TRAVES

STATE OF TEXAS COUNTY OF TRAVIS

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APPROVIDITIES

DAY OF

ZIANGGORGISTON OF THE CITY OF PILLURENULLE TEXAS, ON BEHALF OF

THE CITY.

THOMAS ANIQUE, CHAIRMAN CTPY CEATURISATION

BY. EMILY BARRON, PLANNING DREETTOR.

THIS PLAT REFLECTS THE APPROVAL GRANTED BY THE PLANNING AND ZONING COMMISSION ON THE OATE INDICATED ABOVE

KAREN THOMPSON, CITY SECRETARY

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THE STATE OF TEXAS COUNTY OF TRAVIS

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DANA DEBEAUVOR, COINTY CLERK TRAYS COUNTY, TEXAS

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DANA PERRAUVOIR, COUNTY CLERK TRAVIS COUNTY, PAKAS

SURVEYOR'S CERTIFICATION



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