# 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

Cave B. Freya fro
Department Head: Steven M. Manila, 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 <br> \& Long Range <br> Planning | $(512) 854-7561$ |
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§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 II day of Jute 2013

## OWNER: SORANTO HoLDING 2012 LC

By:



TRAVIS COUNTY, TEXAS By: $\qquad$
County Judge

## ACKNOWLEDGEMENT

## STATE OF TEXAS

§§COUNTY OF TRAVIS §

This instrument was acknowledged before me by $\square$ David Nairn $\qquad$ on the $11^{\text {th }}$ day of July 2011 , in the capacity stated herein.
 the State of Texas

My commission
expires: $10 \mu 2 / 16$

## ACKNOWLEDGEMENT

STATE OF TEXAS ..... §
COUNTY OF TRAVIS ..... §

This instrument was acknowledged before me by $\qquad$ on the $\qquad$ day of
$\qquad$ in the capacity stated herein.

## Notary Public in and for the State of Texas <br> Printed or typed name of notary <br> My commission expires: <br> $\qquad$

Mailing Address of Owner:
transportation water respurces suryeying

## 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 found $1 / 2^{\prime \prime}$ iron rod, a southwest comer 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 comer of a called 2.00 acre tract recorded in Document No. 2000087383 of the Official Public Records of Travis County, Texas,

THENCE: $\quad \mathrm{N} 27^{\circ} 09^{\prime} 33^{\prime \prime} \mathrm{E}$, 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 $1 / 2^{\prime \prime}$ 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 $62^{\circ} 33^{\prime} 35^{\prime \prime} \mathrm{E}$, a distance of 197.66 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$S 48^{\circ} 00^{\prime} 33^{\prime \prime}$ E, a distance of 246.27 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $62^{\circ} 34^{\prime} 20^{\prime \prime} \mathrm{E}$, a distance of 343.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 27^{\circ} 25^{\prime} 40^{\prime \prime} \mathrm{E}$, a distance of 18.51 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $62^{\circ} 34^{\prime} 20^{\prime \prime} \mathrm{E}$, a distance of 250.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $27^{\circ} 25^{\prime} 40^{\prime \prime} \mathrm{W}$, a distance of 90.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $62^{\circ} 34^{\prime} 20^{\prime \prime} \mathrm{E}$, a distance of 114.67 feet to a set ${ }^{1 / 2 \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $27^{\circ} 25^{\prime} 40^{\prime \prime} \mathrm{W}$, a distance of 425.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{S} 62^{\circ} 34^{\prime} 20^{\prime \prime} \mathrm{E}$, a distance of 7.50 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

THENCE: $\quad$ S $27^{\circ} 25^{\prime} 40^{\prime \prime} \mathrm{W}$, 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 $1 / 2^{\prime \prime}$ 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 $62^{\circ} 34^{\prime} 20^{\prime \prime} \mathrm{W}$, a distance of 27.55 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{S} 27^{\circ} 25^{\prime} 40^{\prime \prime} \mathrm{W}$, a distance of 125.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $10^{\circ} 02^{\prime} 52^{\prime \prime} \mathrm{W}$, a distance of 105.89 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

Southwesterly, along a non-tangent curve to the left, having a radial bearing of $S 15^{\circ} 36^{\prime} 54^{\prime \prime} \mathrm{W}$, a radius of 50.00 feet, a central angle of $91^{\circ} 28^{\prime} 28^{\prime \prime}$, a chord bearing and distance of $S 59^{\circ} 52^{\circ} 40^{\prime \prime} \mathrm{W}, 71.61$ feet, an arc length of 79.83 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

N $75^{\circ} 51^{\prime} 34^{\prime \prime} \mathrm{W}$, a distance of 116.27 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

N $78^{\circ} 09^{\prime} 58^{\prime \prime} \mathrm{W}$, a distance of 125.01 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 78^{\circ} 49^{\prime} 49^{\prime \prime} \mathrm{W}$, a distance of 60.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

Northeasterly, along a non-tangent curve to the right, having a radial bearing of S $78^{\circ} 49^{\prime} 49^{\prime \prime} \mathrm{E}$, a radius of 1190.00 feet, a central angle of $03^{\circ} 20^{\prime} 14^{\prime \prime}$, a chord bearing and distance of $N 12^{\circ} 50^{\prime} 18^{\prime \prime} \mathrm{E}, 69.30$ feet, an arc length of 69.31 feet to a set $1 / 2$ " iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 74^{\circ} 46^{\prime} 54^{\prime \prime} \mathrm{W}$, a distance of 27.12 feet to a set $1 / 2^{\prime \prime}$ 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 $14^{\circ} 15^{\prime} 49^{\prime \prime}$, a chord bearing and distance of $\mathrm{N} 81^{\circ} 54^{\prime} 48^{\prime \prime} \mathrm{W}$, 134.08 feet, an arc length of 134.43 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

N $89^{\circ} 02^{\prime} 43^{\prime \prime} \mathrm{W}$, a distance of 48.49 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a non-tangent curve to the right, having a radial bearing of $\mathrm{N} 43^{\circ} 52^{\prime} 36^{\prime \prime} \mathrm{W}$, a radius of 85.00 feet, a central angle of $108^{\circ} 33^{\prime} 33^{\prime \prime}$, a chord bearing and distance of $\mathrm{N} 79^{\circ} 35^{\prime} 49^{\prime \prime} \mathrm{W}, 138.02$ feet, an arc length of 161.05 feet to a set $1 / 2$ " 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 $15^{\circ} 41^{\prime} 56^{\prime \prime}$, a chord bearing and distance of $\mathrm{N} 33^{\circ} 10^{\prime} 01^{\prime \prime} \mathrm{W}, 15.57$ feet, an arc length of 15.62 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 82^{\circ} 12^{\prime} 50^{\prime \prime} \mathrm{W}$, a distance of 118.94 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 74^{\circ} 46^{\prime} 54^{\prime \prime} \mathrm{W}$, a distance of 88.44 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";
$\mathrm{N} 69^{\circ} 14^{\prime} 09^{\prime \prime} \mathrm{W}$, a distance of 59.34 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $80^{\circ} 09^{\prime} 02^{\prime \prime} \mathrm{W}$, a distance of 67.05 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $46^{\circ} 26^{\prime} 16^{\prime \prime} \mathrm{W}$, a distance of 88.82 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $09^{\circ} 03^{\prime} 08^{\prime \prime} \mathrm{W}$, a distance of 96.70 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

S $06^{\circ} 34^{\prime} 16^{\prime \prime} \mathrm{W}$, a distance of 70.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

N $84^{\circ} 28^{\prime} 14^{\prime \prime} \mathrm{W}$, a distance of 25.00 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

Northeasterly, along a non-tangent curve to the right, having a radial bearing of $S 84^{\circ} 28^{\prime} 14^{\prime \prime} \mathrm{E}$, a radius of 1950.00 feet, a central angle of $09^{\circ} 49^{\prime} 23^{\prime \prime}$, a chord bearing and distance of $\mathrm{N} 10^{\circ} 26^{\prime} 27^{\prime \prime} \mathrm{E}, 333.91$ feet, an arc length of 334.32 feet to a set $1 / 2$ " iron rod with yellow cap marked "Pape-Dawson";

N $62^{\circ} 25^{\prime} 21^{\prime \prime} \mathrm{W}$, a distance of 9.10 feet to a set $1 / 2^{\prime \prime}$ iron rod with yellow cap marked "Pape-Dawson";

Southwesterly, along a non-tangent curve to the left, said curve having a radial bearing of $\mathrm{S} 22^{\circ} 29^{\prime} 36^{\prime \prime} \mathrm{W}$, a radius of 25.17 feet, a central angle of $84^{\circ} 54^{\prime} 23^{\prime \prime}$, a chord bearing and distance of $S 70^{\circ} 02^{\prime} 25^{\prime \prime} \mathrm{W}, 33.98$ feet, an arc length of 37.30 feet to a set $1 / 2$ " iron rod with yellow cap marked "Pape-Dawson";

N $62^{\circ} 25^{\prime} 34^{\prime \prime} \mathrm{W}$, a distance of 28.83 feet to a set $1 / 2^{\prime \prime}$ 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: $\quad \mathrm{N} 27^{\circ} 34^{\prime} 39^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 comer of a called 2.0 acre tract recorded in Volume 13357, Page 889 of the Real Property Records of Travis County, Texas;

THENCE: $\quad$ S $62^{\circ} 35^{\prime} 23^{\prime \prime} \mathrm{E}$, at a distance of 335.27 feet passing a found $1 / 2^{\prime \prime}$ iron rod, the southeast comer of said called 2.00 acre tract and the southwest comer of a

THENCE: $\quad N 27^{\circ} 19^{\prime} 31^{\prime \prime}$ 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 $1 / z^{\prime \prime}$ 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 $62^{\circ} 33^{\prime} 53^{\prime \prime} \mathrm{W}$, along the north line of said called 3.0 acre tract, at a distance of 251.16 feet passing the northwest comer 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.


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

Date: $\qquad$ $5 / 21 / 13$

Owner's Name and Address: Sorento liadorbs 2 ciz , UL
3 SAR JeaaulN SuITE 100
Noun Pare ReAch, CA 92660

Proposed Subdivision Name and Legal Description (the "Property"):

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The undersigned Owner and the County Executive of Travis County Transportation and Natural Resources Department hereby agree that the sixty (60) day period for final action to be taken on a Completed Plat Application for the Property is hereby extended by mutual agreement and without compulsion until the date that all subdivision requirements have been met to Travis County standards to the satisfaction of the County Executive of TNR.

Executed and affective as of the date set forth below.
Owner: $\qquad$
$B y$ :
Name:


Title:


By: $\frac{\text { County Executive Ps ge fro }}{\text { Court }}$
Travis County Transportation and Natural Resources Department

## ACKNOWLEDGEMENT

## STATE OF TEXAS

## COUNTY OF TRAVIS

This instrument was acknowledged before me on the $19^{\text {th }}$ day of fly, 2013 , by Carol B. Joseph_ of Travis County, Texas, known to me personally or on the basis of an approved form of identification, in the capacity stated.


After Completing Return To:
Travis County, Texas
Transportation and Natural Resources Department
P.O. Box 1748

Austin, Texas 78767-1748
Attention: Michael Hettenhausen, Planner









