

September 29, 2014

Honorable Mayor Coleman
City of Pflugerville
201-B East Pecan Street
P.O. Box 589
Pflugerville, Texas 78691

Ref: Cambridge Heights Retail – Zoning Request Letter for 8.673 acres. Lot 58, Block B.

Dear Mayor Coleman,


We respectfully request City Council approval for the rezoning of a portion of the Cambridge Heights Retail property from A (Agricultural/Conservation) to R (Retail) as requested in the attached documents. This property is located north of Pflugerville Parkway west of the future intersection of AW Grimes Boulevard and Pflugerville Parkway.

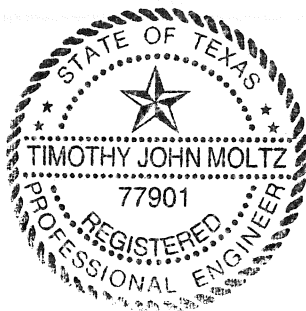
There are actually two tracts of land being submitted for rezoning, one tract to the north of Pflugerville Parkway is 8.673 acres and the tract to the south is 4.061 acres. Both properties are owned by Americo Financial Holdings, and are being submitted for rezoning at the same time so that the neighborhood surrounding this property will not have to attend two separate sets of hearings for those that wish to attend during the rezoning process.

Our Client has had several potential buyers look at the properties but does not have definitive use or site plans prepared at this time. We have met with City staff and upon their recommendation are requesting this zoning as shown. Our Client feels that leaving the property zoned Agricultural, provides no benefit to the property, but the Retail zoning district seems to be the most appropriate for different ideas that have been presented to them, by people interested in the property, and complies with the master planning that the city has used to date.

We would appreciate City Council and your support for this rezoning request.

Thank you for your consideration.


Timothy J. Moltz P.E.
Senior Project Manager



Zoning Application

Applicant

Name: Beckway Investment, LLC
Organization: Ross McCustion
Mailing Address: 12201 W. Parmer Ln.
Cedar Park, TX 78613
Phone Number: 806-535-2266
Email Address: Rossmc5@gmail.com

Please check one:

Rezoning ☒

ALUR

Fax Number: _____

Signature: JB

Property Description:

Name of Project: Cambridge Heights Retail
Street Address: 1300 W. Pflugerville PARKWAY (NORTH SIDE)
Legal Description: Lot 58 BLK B Less 1.890A Cambridge Heights Commercial Sub.
(Field notes can be provided as an attachment.)
Dimensions of Lot: 8.673
Acreage
Watershed: GUILLEMAN CREEK WATERSHED
Parcel ID: (6 digits) 5 5 0 1 1 9 Rezoning From: AGR To: RETAIL
Present Land Use: VACANT Proposed Land Use: RETAIL
Existing Building on Property? ☐ Yes ☒ No S.F of Building: _____
Is a portion of property located in: ☐ CBD ☐ SH 130 and SH 45 Corridor

To Be Completed By Staff:

Case Name: Cambridge Heights Retail Lot 58 Block B Case Manager: ES
Date Received: 9-29-14 Received by: (Signature)
PH Notice to Pflag: _____ PH Notice appears in Pflag: _____
P&Z Meeting Date: _____ City Council Meeting Date: _____
CC 2nd Reading: _____ (ALUR) Parks & Rec. Meeting Date: _____

Rezoning/ ALUR Application

Filing Fee: \$ 1,000.00 + \$15.00 Tech Fee = \$ 1015.00

Submittal Requirements:

- ✓ 1. Completed application with all required contact information.
- ✓ 2. A typed letter addressed to the Commission and Council explaining the request.
- ✓ 3. A survey of the subject property with a full legal description.
- N/A 4. An ALUR, at a minimum, shall include plans and documentation that address the following:

a. <u>Land Use and Lot Sizes</u> <ol style="list-style-type: none"> i. Permitted/prohibited uses ii. Density iii. Minimum lot size and dimensions 	b. <u>Site Development</u> <ol style="list-style-type: none"> i. Parking with ratios ii. Access and circulation iii. Setbacks iv. Building height v. Impervious cover and maximum lot coverage vi. Architectural design
c. <u>Landscaping and Area</u> <ol style="list-style-type: none"> i. Trees and conservation (Tree Survey Required) ii. Minimum requirements and type 	d. <u>Public Improvements</u> <ol style="list-style-type: none"> i. Street layout and design ii. Utility service and infrastructure iii. Drainage iv. Hike and bike trails and public sidewalks v. Parkland and open space vi. Maintenance responsibilities and agreements

Zoning Fee Schedule

Rezoning (except for Alternate Land Use Regulation Districts)	
5 acres or less	\$500.00
> 5 acres – 10 acres	\$1,000.00 ←
> 10 acres	\$2,500.00
Rezoning to Alternate Land Use Regulation District (ALUR)	
Minimum size waiver request	\$50.00
<50 acres	\$2,500.00
>50 acres	\$5,000.00
Amendment to existing ALUR	\$1,000.00
"Special District" (Corridor Zoning)/ Specific Use Permit	
5 acres or less	\$750.00
> 5 acres – 10 acres	\$1,250.00
> 10 acres	\$2,500.00
Text Amendment Application	\$500.00
Appeals, Variance, or Special Exception to the Zoning Code	\$50.00 per request (\$300.00 minimum)

* Additional Technology Fee is \$15 per application

Fee Schedule effective as of January 1, 2013 (Resolution No. 1340-12-11-13-0109)

Consent of Owner

Project Name: Cambridge Heights Retail (BAC)

Property Owner Name: Americo Financial Holding LLC

Address: 2121 Akard St Ste 250

City: Dallas State: TX Zip Code: 75201

Phone: 214-855-0550 x 253 Fax: 214-855-0558

Email: ~~CHARLEY.P@CULTO.COM~~ CHARLEYP@CULTO.COM

Signature: 

By signing this form, the owner of the property authorizes the City of Pflugerville to begin proceedings in accordance with the process for the type of application indicated above. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application and that although City staff may make certain recommendations regarding this application; the City Council may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

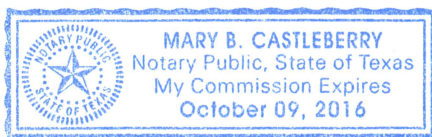
THE STATE OF Texas :

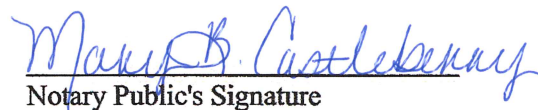
COUNTY OF Dallas :

KNOW ALL MEN BY THESE PRESENTS

Before me, Mary B. Castleberry, on this day personally appeared Charley Pettigrew, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of September, 2014.




Notary Public's Signature

My Commission Expires: 10/9/16

Applicant's Affidavit

Project Name: Cambridge Heights Retail

I, Ross McGriston, certify that I have read this form thoroughly and the information included in this supplemental application form is a true representation of the permit applications submitted to date that are associated with the current application or this application is not one in a series of permits as defined by Chapter 245 of the Texas Local Government Code.

Address: 12201 W. Farmer Ln

City: Cedar Park State: TX Zip Code: 78613

Phone: 806-535-2266 Fax: _____

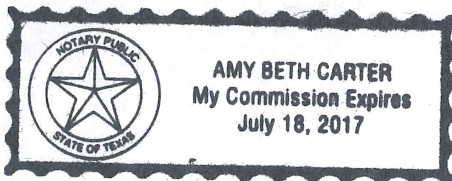
Signature: [Signature]

THE STATE OF Texas :
COUNTY OF Collin :

KNOW ALL MEN BY THESE PRESENTS

Before me, Amy Beth Carter, on this day personally appeared Ross McGriston, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of September, 2014.



[Signature]
Notary Public's Signature

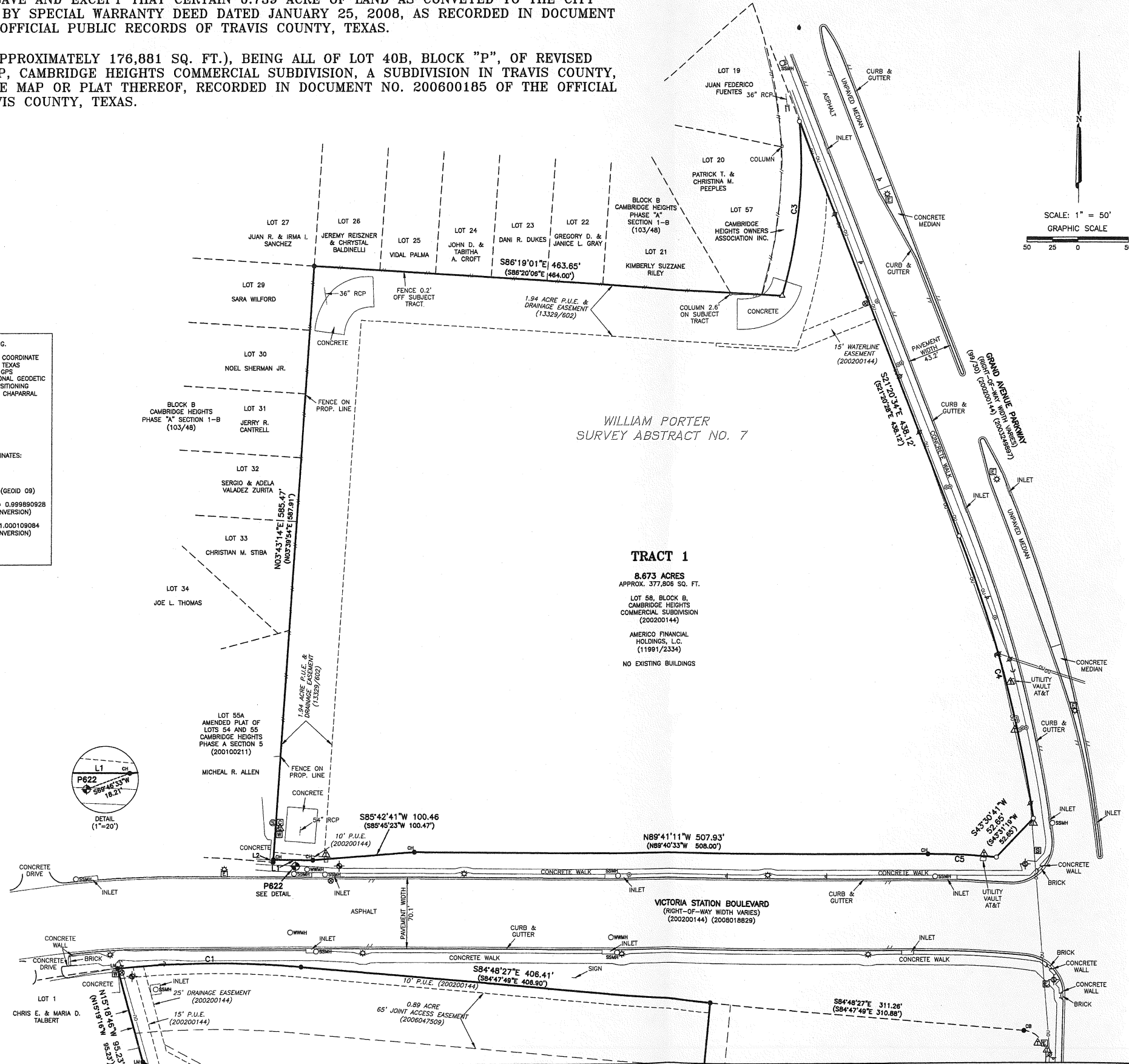
My Commission Expires: 7/18/2017

AN ALTA/ACSM LAND TITLE SURVEY OF:



TRACT 1: 8.637 ACRES (APPROXIMATELY 377,806 SQ. FT.), BEING LOT 58, BLOCK "B", OF THE FINAL PLAT OF CAMBRIDGE HEIGHTS COMMERCIAL SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 200200144 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 0.739 ACRE OF LAND AS CONVEYED TO THE CITY OF PFLUGERVILLE, TEXAS BY SPECIAL WARRANTY DEED DATED JANUARY 25, 2008, AS RECORDED IN DOCUMENT NO. 2008018829 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: 4.061 ACRES (APPROXIMATELY 176,881 SQ. FT.), BEING ALL OF LOT 40B, BLOCK "P", OF REVISED PLAT OF LOT 40, BLOCK P, CAMBRIDGE HEIGHTS COMMERCIAL SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN DOCUMENT NO. 200600185 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

THIS IS A SURFACE DRAWING.
BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), TEXAS CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "P622".
MAG NAIL WITH WASHER
SURFACE COORDINATES:
N 10148951.05
E 3144113.30
TEXAS STATE PLANE COORDINATES:
N 10145844.30
E 3143770.37
ELEVATION = 799.76'
VERTICAL DATUM: NAVD 86 (GEOID 09)
COMBINED SCALE FACTOR = 0.999890928
(FOR SURFACE TO GRID CONVERSION)
INVERSE SCALE FACTOR = 1.000109084
(FOR GRID TO SURFACE CONVERSION)
SCALED ABOUT 0.0
THETA ANGLE: 1°23'09"



- TITLE COMMITMENT NOTE:**
COMMITMENT FOR TITLE INSURANCE PREPARED BY:
Heritage Title Company of Austin, Inc.
First American Title Insurance Company
G.F. No.: 00101998 Effective Date: September 13, 2010 Issued: September 22, 2010
- The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.
- Schedule "B" items contained therein and re-listed below were considered:
- Restrictive Covenants: Document No(s). 200200144 and 2006047509 both of the Official Public Records of Travis County, Texas (Both Tracts); and Document No. 200600185 of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Waterline easement 15 feet in width along portion and extended from the northeasterly property line, as shown on the Plat recorded in Document No. 200200144 of the Official Public Records of Travis County, Texas. (Tract 1) --- Subject to, as shown
 - Public Utility and Drainage easement granted to Travis County and City of Pflugerville, by instrument dated December 10, 1998, recorded in Volume 13329, Page 602 of the Deed Records of Travis County, Texas, and as shown on the Plat recorded in Document No. 200200144 of the Official Public Records of Travis County, Texas. (Tract 1) --- Subject to, as shown
 - Public Utility easement 10 feet in width running parallel and adjacent to all streets, as stated on the Plat recorded under Document No. 200200144 of the Official Public Records of Travis County, Texas. (Both Tracts) --- Subject to, as shown, portion of easement(s) lies within the current right-of-way of Victoria Station Boulevard and Grand Avenue Parkway.
 - Drainage easement 25 feet in width along the westerly property line, as shown on the Plat(s) recorded under Document No(s). 200200144 and 200600185 both of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Public Utility easement 15 feet in width along the westerly property line, as shown on the Plat(s) recorded under Document No(s). 200200144 and 200600185 both of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Public Utility easement 10 feet in width along the northerly property line, as shown on the Plat(s) recorded under Document No(s). 200200144 and 200600185 both of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Drainage easement 20 feet in width along the southerly property line, as shown on the Plat(s) recorded under Document No(s). 200200144 and 200600185 both of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Public utility easement 10 feet in width along the easterly property line, as shown on the Plat recorded under Document No. 200600185 of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Drainage easement 5 feet in width traversing the southerly portion of said lot, as shown on the Plat recorded under Document No. 200600185 of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Wastewater easement granted to CVS Pharmacy, Inc., by instrument dated March 7, 2006, recorded under Document No. 2006047508 of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to, as shown
 - Wastewater easement granted to CVS Pharmacy, Inc., by instrument dated March 7, 2006, recorded under Document No. 2006047507 of the Official Public Records of Travis County, Texas. (Tract 2) --- Subject to Drainage Easement per Document No. 2006047507, shown hereon
 - Electric transmission and/or distribution line easement granted to Texas Power and Light Company, by instrument dated October 27, 1936, recorded in Volume 555, Page 285 of the Deed Records of Travis County, Texas. (Both Tracts) --- May affect subject tracts, unable to delineate from record description
 - Electric transmission and/or distribution line easement granted to Texas Power and Light Company, by instrument dated December 26, 1941, recorded in Volume 692, Page 582 of the Deed Records of Travis County, Texas. (Both Tracts) --- May affect subject tracts, unable to delineate from record description
 - Electric power line easement granted to Texas Power and Light Company, by instrument dated December 23, 1969, recorded in Volume 3610, Page 1241 of the Deed Records of Travis County, Texas. (Both Tracts) --- May affect, unable to delineate from record description
 - Pipeline easement granted to Manville Water Supply Corp., by instrument dated November 3, 1971, recorded in Volume 4858, Page 1495 of the Deed Records of Travis County, Texas. (Both Tracts) --- May affect, not plottable, limited to 15' in width centered on pipeline as installed
 - The terms, conditions and stipulations set out in that certain City of Pflugerville Ordinance No. 854-08-12-12 dated December 12, 2006, recorded under Document No. 2007026828 of the Official Public Records of Travis County, Texas. (Both Tracts) --- Subject to, not plottable
 - The terms, conditions and stipulations set out in that certain Agreement Providing Reciprocal Access Easement and Restrictive Covenants dated March 7, 2006, recorded under Document No. 2006047509 of the Official Public Records of Travis County, Texas. (Both Tracts) --- Subject to, as shown

 Eric J. Dannheim R.P.L.S. No. 6075	 Chaparral Professional Land Surveying, Inc. Surveying and Mapping 3500 McCall Lane Austin, Texas 78744 512-443-1724	PROJECT NO.: 351-003
		DRAWING NO.: 351-003-BASE
		PLOT DATE: 04/10/13
		PLOT SCALE: 1" = 50'
DRAWN BY: JDB		SHEET 01 OF 02