



DATE: December 4, 2013
TO: Planning & Zoning Commission
FROM: Trenton Klerekoper, Planner I
RE: Falcon Pointe Variance Request

BACKGROUND

According to Subchapter 15(Q)(4)(a) of the Unified Development Code, the developer is required to construct all required public improvements before submitting a final plat for the subject area or provide fiscal security in an amount equal to 110% of the cost of the public improvements. The process currently does not address the potential for a concurrent final plat review or posting of partial fiscal when public improvements are currently being constructed. The intent of the fiscal requirement is to provide assurance that in the event the public improvements are not constructed, the City has the ability to complete the project in order to serve the affected lots.

REQUEST

The developer of the Falcon Pointe subdivision is currently constructing Section 13-B. The developer has proposed to submit their final plat application and post partial fiscal for the remaining public improvements as determined prior to the deadline for the next appropriate Planning and Zoning Commission meeting. If granted, the intent is to have the final plat recorded and addressed as applicable around the same time that all public improvements are accepted by the City, allowing residential lots to be developed in a shorter time frame than the current process might otherwise permit.

STAFF RECOMMENDATION

Allowing a concurrent review and posting partial fiscal for the remaining public improvements associated with Section 13-B to allow final plat submittal is acceptable to the Engineering and Planning departments. In granting the variance, the City will retain assurance that the remaining public infrastructure can be installed. Staff recommends approval of the proposed Subdivision Variance.

ATTACHMENTS

- Falcon Pointe Subdivision Variance Request



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December 4, 2013

Mr. Jeremy Frazzell
Planning Department
City of Pflugerville
100 E. Main, Ste. 400
Pflugerville, TX 78691

**RE: Variance Request – Falcon Pointe Section 13-B
AECOM Project No. 60284074**

Dear Mr. Frazzell:

On behalf of our client, Terrabrook Falcon Pointe, LLC, we are requesting a variance from standard UDC Article 15.Q.4.A requirements, regarding the review process for the Falcon Pointe Section 13-B Final Plat. This article of the UDC allows the application for a Final Plat to be submitted to the City of Pflugerville prior to the completion of construction, under the condition that fiscal security has been provided for 110% of the construction cost of the proposed public improvements.

The final plat for the above referenced project will be submitted in December of 2013. Although fiscal security has not yet been posted, it is the Owner's intention to provide partial fiscal security. AECOM is currently evaluating the correct fiscal amount and will provide supporting documentation to the City for their review and concurrence.

In order to keep the review process for the Final Plat moving forward, we are requesting that the City proceed with their review in good faith that partial fiscal security will be provided as soon as possible.

Please review this request and advise whether it is acceptable to proceed with the Final Plat review without fiscal security for the above referenced section.

Sincerely,

Roger Durden
Associate Vice President

cc: Rainer Ficken – Newland Communities
File (200)