



## AGENDA MEMORANDUM

Future Item for the City Council Meeting of September 18, 2012  
Action Item for the City Council Meeting of September 25, 2012

**DATE:** 09/05/12  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Mark Van Vleck, Interim Director, Development Services  
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(361) 826-3246

Request for a Deferment Agreement with Calallen Retail Partners, L.P., developer of  
Nueces River Irrigation Park, Block 2, Lots 21 - 28

### **CAPTION:**

Motion finding reasonable cause exists to delay completion of public improvements in accordance with Section 8.1.10.B of the Unified Development Code and authorizing the City Manager, or designee, to execute a deferment agreement with Calallen Retail Partners, L.P. ("Developer"), in the amount of \$228,800.00 for public wastewater improvements to the property located at the southeast corner of Farm to Market Rd. 624 (Northwest Blvd.) and Farm to Market Rd. 1889, contingent upon receipt of a letter of credit approved by the City prior to the filing of the final plat by the Developer.

### **PURPOSE:**

Allow the Developer to record the plat and thus allow a building permit to be issued for the start of construction.

### **BACKGROUND AND FINDINGS:**

Calallen Retail Partners, L.P., is requesting a Deferment Agreement for the platting and development of Nueces River Irrigation Park, Block 2, Lots 21 - 28, as shown on the final plat. The subdivision is at the Southeast corner of Farm to Market Rd. 624 (Northwest Blvd.) and Farm to Market Rd. 1889. The proposed improvements will provide adequate waste water to the proposed development. A layout of existing and proposed improvements is included as shown in Exhibit 2 of the deferment agreement.

### **ALTERNATIVES:**

Denial of the Deferment Agreement

### **OTHER CONSIDERATIONS:**

Not applicable

**CONFORMITY TO CITY POLICY:**

The developer will be extending waste water to serve the proposed development and has requested a Deferment Agreement, as provided in the Unified Development Code.

**EMERGENCY / NON-EMERGENCY:**

Non-emergency

**DEPARTMENTAL CLEARANCES:**

Legal

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

<b>Fiscal Year: 2011-2012</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:** Not Applicable

**RECOMMENDATION:**

Staff recommends approval of the motion as presented.

**LIST OF SUPPORTING DOCUMENTS:**

- Deferment Agreement with Exhibits
  - Exhibit 1: Final Plat
  - Exhibit 2: Plans and Specifications
  - Exhibit 3: Engineer's Cost Estimate