

AMENDMENT TO APPROVED AGREEMENT APPLICATION

Updated: September, 2020

Original Case # _____ - _____ - _____



CONTACT INFORMATION

Applicant's Name	Greg Gitcho	Property Owner	Kim Gunnarson
Company	Leadoff Investments, LLC	Company	N/A
Applicant's Mailing Address	3800 N. Lamar Blvd., Ste. 350, Austin, TX. 78756	Owner's Mailing Address	1801 Interstate 35 Frontage Rd, San Marcos, TX 78666
Applicant's Phone #	512.698.6019	Owner's Phone #	512.393.5353
Applicant's Email	greg.gitcho@archercreek.com	Owner's Email	

PROPERTY INFORMATION

Subject Property Address(es): 2158 N. IH 35, San Marcos, TX. 78666

Legal Description: Lot _____ Block _____ Subdivision See attached.

Total Acreage: 4.766 Tax ID #: R 12118

Preferred Scenario Designation: PDD Existing Use of Property: PDD

DESCRIPTION OF REQUEST

Proposed New Preferred Scenario Designation, if any: N/A

Proposed Base Zoning Districts: GC

Proposed Land Uses: Extend the PDD, as is, for five years from its expiration.

AUTHORIZATION

By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$2,113 plus \$100 per acre Technology Fee \$13 MAXIMUM COST \$5,013

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/


PROPERTY OWNER AUTHORIZATION

I, Kim Gunnarson (owner name) on behalf of
N/A (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
2158 N. IH 35, San Marcos, TX. 78666 (address).

I hereby authorize Greg Gitcho (agent name) on behalf of
Leadoff Investments, LLC. (agent company) to file this application for
Amendment to Approved Agreement (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 12/22/20

Printed Name, Title: Kim Gunnarson, Owner

Signature of Agent:  Date: 1/14/21

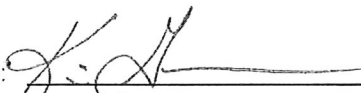
Printed Name, Title: Greg Gitcho, Member

**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: 12/22/20

Print Name: Kim Gunnarson

LEADOFF INVESTMENTS, LLC

January 14, 2020

City of San Marcos
Planning & Development Services
c/o Shannon Mattingly
630 E. Hopkins St.
San Marcos, TX 78666

Re: Amendment to Approved Agreement Application

Mrs. Mattingly,

On July 19, 2016 the San Marcos city council passed, approved, and adopted a PDD with a base zoning district of 'GC' General Commercial District for an approximate 4.78 acre tract out of the J.M. Veramendi Survey, located at the southeast corner of IH 35 and East River Ridge Parkway. It is commonly referred to as the 'Holt Tract'. The ordinance took effect August 20, 2016. Our application and respectful request for the Holt Tract to extend its PDD designation, unchanged, for an additional five (5) years beyond its expiration. Currently, it is set to expire in August 20, 2021 and with an extension it would therefore expire in August 20, 2026.

The reason for this extension request is to allow TxDOT to initiate, stage, construct, and complete the IH 35 improvements including a new north bound exit ramp from IH 35 to River Ridge Parkway. We believe that attracting desirable users to the Holt Tract will be improved upon the completion of the roadway improvements and new exit ramp. Attempting to source a user and develop the tract while IH 35 is undergoing a significant construction project will be complicated and may not result in the highest and best use of the property.

Thank you for your time and consideration of this PDD extension request. We look forward to working with you and the City of San Marcos to achieve the approval of this application.

Sincerely,



Greg Gitcho
Leadoff Investments, LLC
Prospective Purchaser

**FIELD NOTE DESCRIPTION
OF A
4.768 ACRE TRACT OF LAND
OUT OF THE
J.M. VERAMENDI SURVEY NO. 2, ABSTRACT NO. 17,
SITUATED IN
THE CITY OF SAN MARCOS, HAYS COUNTY, TEXAS**

BEING A 4.768 ACRE (207,681 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J.M. VERAMENDI SURVEY NO. 2, ABSTRACT NO. 17, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS; BEING A PORTION OF THAT TRACT DESCRIBED AS "UNSOLD PORTIONS OF 189.6 ACRES" IN A SPECIAL WARRANTY DEED TO ARMBRUSTER HOLT LTD., FILED DECEMBER 28, 2005 AND RECORDED IN VOLUME (VOL.) 2834, PAGE (PG.) 86 OF THE HAYS COUNTY OFFICIAL PUBLIC RECORDS (H.C.O.P.R.); SAID 4.768 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BYRN SURVEY" (HEREAFTER REFERRED TO AS "BYRN CAP") FOUND FOR THE NORTHERNMOST CORNER OF THE HEREIN DESCRIBED TRACT, SAME MARKING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY (R.O.W.) LINE OF INTERSTATE HIGHWAY NO. 35 (HAVING A VARIABLE WIDTH) WITH THE SOUTHWESTERLY R.O.W. LINE OF EAST RIVER RIDGE PARKWAY (HAVING A WIDTH OF 100 FEET) AS DEDICATED BY THE FINAL PLAT OF LOT 2, AND EAST RIVER RIDGE PARKWAY, BLANCO SHOALS SUBDIVISION, FILED JUNE 7, 2004 AND RECORDED IN VOL. 11, PG. 365, HAYS COUNTY PLAT RECORDS (H.C.P.R.);

THENCE, DEPARTING THE EASTERLY R.O.W. LINE OF SAID INTERSTATE HIGHWAY NO. 35 (IH-35), AND WITH THE SOUTHWESTERLY R.O.W. LINE OF SAID EAST RIVER RIDGE PARKWAY, THE FOLLOWING TWO (2) CALLS:

- 1) SOUTH 63 DEGREES 33 MINUTES 40 SECONDS EAST, A DISTANCE OF 251.61 FEET TO A 1/2-INCH IRON ROD WITH "BYRN CAP" FOUND FOR CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT FROM WHICH THE RADIUS POINT BEARS SOUTH 26 DEGREES 26 MINUTES 28 SECONDS WEST, AT A DISTANCE OF 768.51 FEET;
- 2) IN A SOUTHEASTERLY DIRECTION, WITH SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 15 DEGREES 10 MINUTES 24 SECONDS, AN ARC LENGTH OF 203.52 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 55 DEGREES 58 MINUTES 20 SECONDS EAST - 202.93 FEET TO A 1/2-INCH IRON ROD WITH "BYRN CAP" FOUND FOR THE EASTERNMOST CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT ALSO BEING ON THE EASTERLY LINE OF THAT CERTAIN CALLED 100 FOOT WIDE EASEMENT AND R.O.W. DESCRIBED IN A DEED TO LOWER COLORADO RIVER AUTHORITY (L.C.R.A.), FILED MARCH 28, 1951 AND RECORDED IN VOL. 149, PG. 334, HAYS COUNTY DEED RECORDS (H.C.D.R.);

THENCE, DEPARTING THE SOUTHWESTERLY R.O.W. LINE OF SAID EAST RIVER RIDGE PARKWAY, AND TRAVELING THROUGH THE INTERIOR OF SAID PORTION OF 189.6 ACRE TRACT, THE FOLLOWING TWO (2) CALLS:

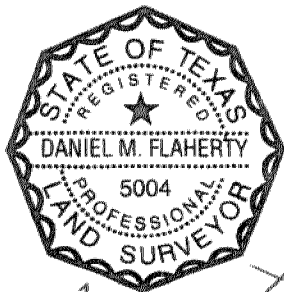
- 1) SOUTH 29 DEGREES 41 MINUTES 56 SECONDS WEST, WITH THE EASTERLY LINE OF SAID 100 FOOT WIDE EASEMENT AND R.O.W., A DISTANCE OF 430.64 FEET TO A 1/2-INCH IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WALLACE GROUP" (HEREAFTER REFERRED TO AS "WALLACE CAP") SET FOR THE SOUTHERNMOST CORNER OF THE HEREIN DESCRIBED TRACT;

DESCRIPTION OF 4.768 ACRE TRACT (CONTINUED)

- 2) NORTH 65 DEGREES 49 MINUTES 45 SECONDS WEST, DEPARTING THE EASTERLY LINE OF SAID 100 FOOT WIDE EASEMENT AND R.O.W., A DISTANCE OF 450.03 FEET TO A 1/2-INCH IRON ROD WITH "WALLACE CAP" SET FOR THE WESTERNMOST CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT BEING ON THE EASTERLY R.O.W. LINE OF SAID IH-35, SAID POINT ALSO BEING ON A CURVE TO THE LEFT FROM WHICH THE RADIUS POINT BEARS NORTH 59 DEGREES 48 MINUTES 37 SECONDS WEST, AT A DISTANCE OF 11,649.19 FEET;

THENCE, IN A NORTHERLY DIRECTION, WITH THE EASTERLY R.O.W. LINE OF SAID IH-35, AND WITH SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02 DEGREES 20 MINUTES 12 SECONDS, AN ARC LENGTH OF 475.08 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 29 DEGREES 01 MINUTES 17 SECONDS EAST - 475.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT, DELINEATING AND ENCOMPASSING WITHIN THE METES RECITED 4.768 ACRES (207,681 SQUARE FEET) OF LAND, MORE OR LESS, BASED ON AN ON-THE-GROUND SURVEY PERFORMED BY THE WALLACE GROUP, INC., ROUND ROCK, TEXAS IN FEBRUARY AND MARCH OF 2008, AND WITH BEARINGS SHOWN HEREON BEING REFERENCED TO THE CITY OF SAN MARCOS GPS CONTROL MONUMENTS NO. 02 AND 10 USING NAD-83 IN THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NO. 4204.

I, DANIEL M. FLAHERTY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5004, STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS FIELD NOTE DESCRIPTION WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY PERFORMED ON THE GROUND AND THAT THE SAME IS TRUE AND CORRECT.



Daniel M. Flaherty
DANIEL M. FLAHERTY, R.P.L.S. #5004

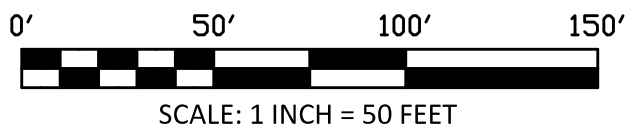
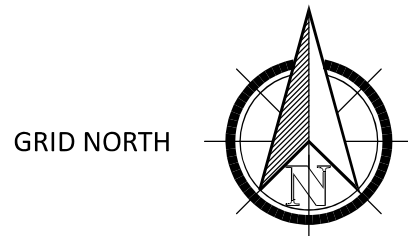
THE WALLACE GROUP, INC.
ONE CHISHOLM TRAIL, SUITE 130
ROUND ROCK, TEXAS 78681
PH. (512) 248-0065
WORK ORDER NO. 20950
20950-FN 4.768 ACRE TRACT

03-05-08
DATE

SKETCH SHOWING A LAND TITLE SURVEY OF 4.766 ACRES, MORE OR LESS, OUT OF THE J.M. VERAMENDI SURVEY NO. 2, ABSTRACT NO. 17, SITUATED IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF THE TRACT DESCRIBED AS "UNSOLD PORTIONS OF 189.6 ACRES" IN THE SPECIAL WARRANTY DEED TO ARMBRUSTER HOLT, LTD., RECORDED IN VOLUME 2834, PAGE 86, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

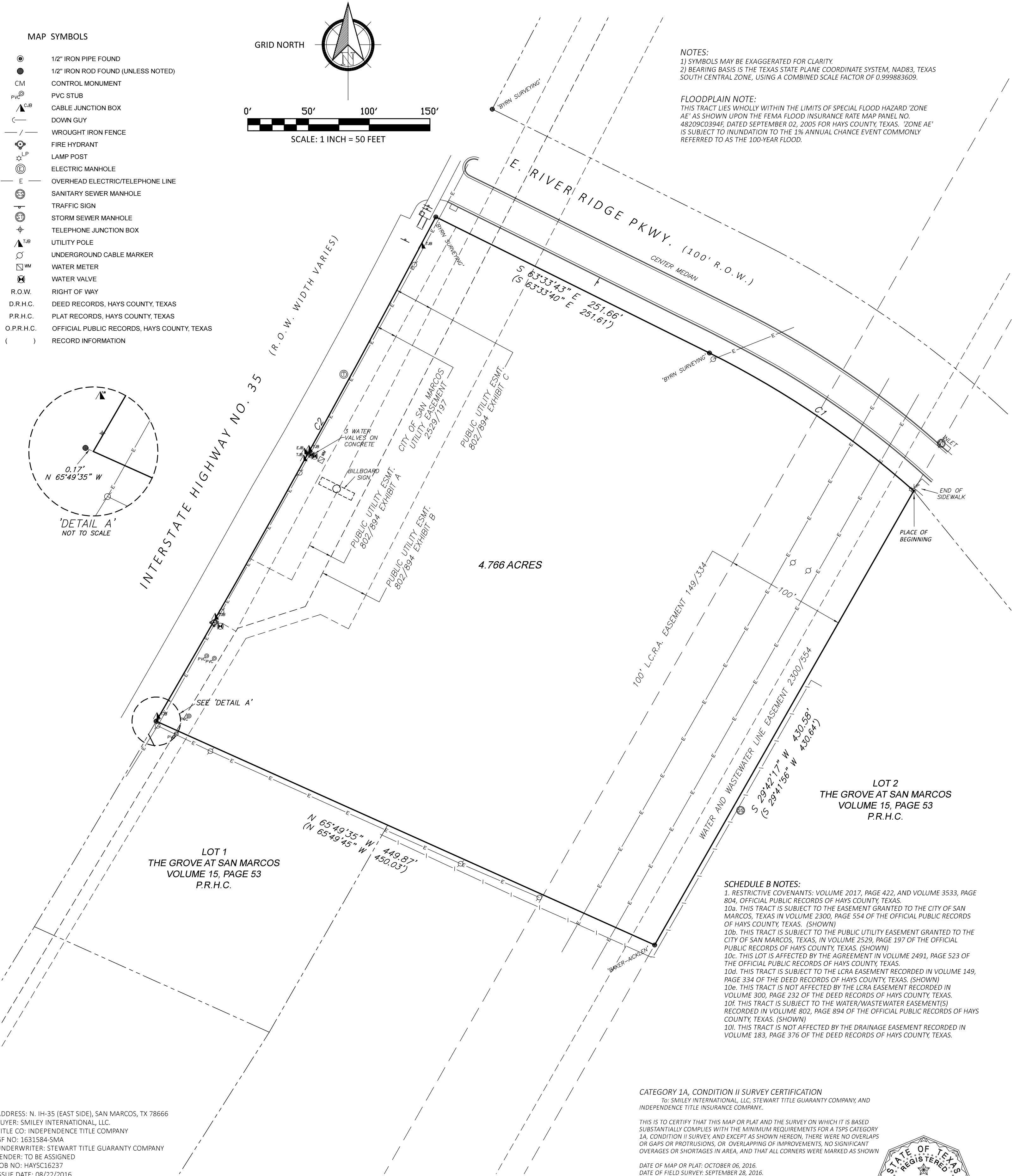
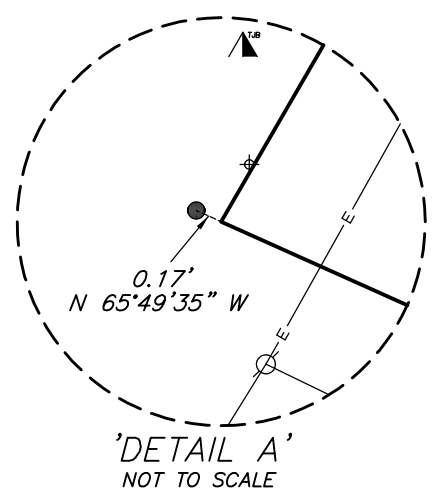
MAP SYMBOLS

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- CM CONTROL MONUMENT
- PVC PVC STUB
- CJB CABLE JUNCTION BOX
- DOWN GUY
- WROUGHT IRON FENCE
- ⊕ FIRE HYDRANT
- ⊕ LAMP POST
- ⊕ ELECTRIC MANHOLE
- OVERHEAD ELECTRIC/TELEPHONE LINE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ TRAFFIC SIGN
- ⊕ STORM SEWER MANHOLE
- ⊕ TELEPHONE JUNCTION BOX
- ⊕ UTILITY POLE
- ⊕ UNDERGROUND CABLE MARKER
- ⊕ WM WATER METER
- ⊕ WATER VALVE
- R.O.W. RIGHT OF WAY
- D.R.H.C. DEED RECORDS, HAYS COUNTY, TEXAS
- P.R.H.C. PLAT RECORDS, HAYS COUNTY, TEXAS
- O.P.R.H.C. OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
- () RECORD INFORMATION



NOTES:
 1) SYMBOLS MAY BE EXAGGERATED FOR CLARITY.
 2) BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 0.999883609.

FLOODPLAIN NOTE:
 THIS TRACT LIES WHOLLY WITHIN THE LIMITS OF SPECIAL FLOOD HAZARD 'ZONE AE' AS SHOWN UPON THE FEMA FLOOD INSURANCE RATE MAP PANEL NO. 48209C0394F, DATED SEPTEMBER 02, 2005 FOR HAYS COUNTY, TEXAS. 'ZONE AE' IS SUBJECT TO INUNDATION TO THE 1% ANNUAL CHANCE EVENT COMMONLY REFERRED TO AS THE 100-YEAR FLOOD.



LOT 1
 THE GROVE AT SAN MARCOS
 VOLUME 15, PAGE 53
 P.R.H.C.

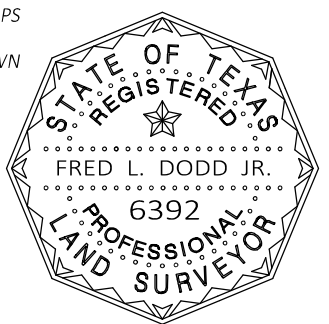
LOT 2
 THE GROVE AT SAN MARCOS
 VOLUME 15, PAGE 53
 P.R.H.C.

SCHEDULE B NOTES:
 1. RESTRICTIVE COVENANTS: VOLUME 2017, PAGE 422, AND VOLUME 3533, PAGE 804, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
 10a. THIS TRACT IS SUBJECT TO THE EASEMENT GRANTED TO THE CITY OF SAN MARCOS, TEXAS IN VOLUME 2300, PAGE 554 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (SHOWN)
 10b. THIS TRACT IS SUBJECT TO THE PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF SAN MARCOS, TEXAS, IN VOLUME 2529, PAGE 197 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (SHOWN)
 10c. THIS LOT IS AFFECTED BY THE AGREEMENT IN VOLUME 2491, PAGE 523 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
 10d. THIS TRACT IS SUBJECT TO THE LCRA EASEMENT RECORDED IN VOLUME 149, PAGE 334 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (SHOWN)
 10e. THIS TRACT IS NOT AFFECTED BY THE LCRA EASEMENT RECORDED IN VOLUME 300, PAGE 232 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.
 10f. THIS TRACT IS SUBJECT TO THE WATER/WASTEWATER EASEMENT(S) RECORDED IN VOLUME 802, PAGE 894 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (SHOWN)
 10i. THIS TRACT IS NOT AFFECTED BY THE DRAINAGE EASEMENT RECORDED IN VOLUME 183, PAGE 376 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.

CATEGORY 1A, CONDITION II SURVEY CERTIFICATION
 TO: SMILEY INTERNATIONAL, LLC, STEWART TITLE GUARANTY COMPANY, AND INDEPENDENCE TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED SUBSTANTIALLY COMPLIES WITH THE MINIMUM REQUIREMENTS FOR A TSPS CATEGORY 1A, CONDITION II SURVEY, AND EXCEPT AS SHOWN HEREON, THERE WERE NO OVERLAPS OR GAPS OR PROTRUSIONS, OR OVERLAPPING OF IMPROVEMENTS, NO SIGNIFICANT OVERAGES OR SHORTAGES IN AREA, AND THAT ALL CORNERS WERE MARKED AS SHOWN.

DATE OF MAP OR PLAT: OCTOBER 06, 2016.
 DATE OF FIELD SURVEY: SEPTEMBER 28, 2016.



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	768.51'	203.52'	S 55°59'20" E	202.93'
(C1)	768.51'	203.52'	S 55°58'20" E	202.93'
C2	11649.19'	474.91'	N 29°00'06" E	474.88'
(C2)	11649.19'	475.08'	N 29°01'17" E	475.03'

ADDRESS: N. IH-35 (EAST SIDE), SAN MARCOS, TX 78666
 BUYER: SMILEY INTERNATIONAL, LLC.
 TITLE CO: INDEPENDENCE TITLE COMPANY
 GF NO: 1631584-SMA
 UNDERWRITER: STEWART TITLE GUARANTY COMPANY
 LENDER: TO BE ASSIGNED
 JOB NO: HAYSC16237
 ISSUE DATE: 08/22/2016
 EFFECTIVE DATE: 08/10/2016



QUESTIONS, COMMENTS OR TO ORDER A SURVEY EMAIL US AT: INFO@DODDSURVEYING.COM

WWW.DODDSURVEYING.COM

203 W. MAIN STREET, STE. D
 PFLUGERVILLE, TX 78660
 (512) 953-5705

Tax Office
 Jenifer O'Kane Tax Assessor-Collector, Hays
 County
 712 S. Stagecoach Trail, Suite 1120
 San Marcos, TX 78666
 512-393-5545
 512-393-5517
 www.hayscountytexas.com/taxoffice

2019 Tax Statement

Date	QuickRef ID
1/14/2021	R12118
CAD ID	Owner ID
R12118	O0082490
Property Description	
Legal	
A0017-2 JUAN M VERAMENDI SURVEY #2, TRACT PT OF 154, ACRES 4.766	
Property Location	
2158 N IH 35 SAN MARCOS, TX 78666	

Property ID: 10-0017-2147-00000-3



R12118
 GUNNARSON, KIM
 1801 S IH 35
 SAN MARCOS, TX 78666

City Taxes Reduced By Additional Sales Tax 1.99
 County Taxes Reduced By Additional Sales Tax 0.83

Property Values	
Land	0
Improvement	0
AG Market	780,600
AG Use	820
Timber Market	0
Timber Use	0
Cap Adjustment	0
Assessed	820
Exemptions	
AG	

Tax Breakdown								
Tax Year	Taxing Unit	Tax Rate	Exemptions	Taxable	Tax	Tax Paid	Tax Due	
2019	City Of San Marcos	0.613900	0	820	5.04	5.04	0.00	
2019	Hays County	0.389900	0	820	3.20	3.20	0.00	
2019	San Marcos CISD	1.313900	0	820	10.78	10.78	0.00	
2019	Special Road Dist	0.033800	0	820	0.28	0.28	0.00	
TOTAL					19.30	19.30	See TOTAL DUE	

Pay by	%	P&I	Total Due
Jan 2021		0.00	0.00
Feb 2021		0.00	0.00
Mar 2021		0.00	0.00
Apr 2021		0.00	0.00
May 2021		0.00	0.00
Jun 2021		0.00	0.00
Jul 2021		0.00	0.00
Aug 2021		0.00	0.00
Sep 2021		0.00	0.00
Oct 2021		0.00	0.00

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE
 DISABLED, AND YOU OCCUPY THE PROPERTY DESCRIBED
 IN THIS DOCUMENT AS YOUR RESIDENCE HOMESTEAD,
 YOU SHOULD CONTACT THE APPRAISAL DISTRICT
 REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A
 POSTPONEMENT IN THE PAYMENT OF THESE TAXES

**TOTAL DUE IF PAID BY
 January 31, 2021** 0.00

-----detach and return bottom portion with payment-----

Property ID
R12118
Owner ID
O0082490
Property Location
2158 N IH 35 SAN MARCOS, TX 78666

Make check payable to:
 Jenifer O'Kane Tax Assessor-Collector, Hays
 County
 712 S. Stagecoach Trail, Suite 1120
 San Marcos, TX 78666
 512-393-5545
 512-393-5517
 www.hayscountytexas.com/taxoffice

**TOTAL DUE IF PAID BY
 January 31, 2021** 0.00



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R12118
 GUNNARSON, KIM
 1801 S IH 35
 SAN MARCOS, TX 78666

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