

## Legislation Details (With Text)

**File #:** 24-252 **Name:**  
**Type:** Plat **Status:** Individual Item Ready  
**File created:** 2/15/2024 **In control:** Planning Commission  
**On agenda:** 3/5/2024 **Final action:**  
**Title:** FP24-0043 Approval of the final plat establishing Kyndwood Unit 1, with conditions.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Aerial Map, 2. Final Plat

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**PRESENTER:**

Applicant: HMT Engineering &amp; Surveying; Joseph Sandoval P.E.

**SUBJECT:**

FP24-0043 Approval of the final plat establishing Kyndwood Unit 1, with conditions.

**DEPARTMENT:** Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** ETJ**BACKGROUND INFORMATION:**

Case #: FP24-0043

**Owner:** Richard Mott  
Lennar Homes  
NE Loop 410, Suite 1155  
San Antonio, TX 78216

**Engineer:** Joseph Sandoval P.E.  
HMT Engineering & Surveying  
290 S Castell Ave, Suite 100  
New Braunfels, TX 78130  
(830) 625-8555 | plats@hmtnb.com

**Case Manager:** Mary Lovell  
(830) 221-4051 | mlovell@newbraunfels.gov

**Description:** A 28.61-acre final plat establishing 140 lots for single-family residential development.

The Kyndwood Subdivision is a single-family residential development located on the northwest side of the City. The subdivision is located entirely within the City's extraterritorial jurisdiction (ETJ). The approved master plan for the Kyndwood Subdivision consists of a total of 8 units/phases, 240.42-acres, and a total of 1080 residential lots.

**ISSUE:**

This final plat is approximately 28-acres in area and proposes the establishment of 140 residential lots, dedication of rights-of-way, and common areas for drainage, utilities, and open space.

**Drainage:**

The Public Works Department reviewed and approved final project drainage with the construction plans as required by Section 118-31 of the Platting Ordinance and in accordance with the requirements of Chapter 143 Municipal Drainage Utility Systems and the Drainage and Erosion Control Design Manual. Drainage improvements will be constructed at the time of subdivision construction.

**Utilities:**

Water and wastewater will be provided by the Crystal Clear Special Use District (CCSUD) and electric facilities will be provided by New Braunfels Utilities (NBU). Public utility easements are being dedicated along street frontages. Utilities will be extended as part of this plat in accordance with the approved construction plans.

**Transportation Plan:**

This proposed plat is in compliance with the City's Regional Transportation Plan (RTP) and the approved Master plan.

Kyndwood Trail will be designed and constructed as a residential collector street sections. All other streets to be dedicated and constructed within this plat are proposed to be local streets that are 50-feet in width. Street names have been approved by Comal County and are indicated on the plat.

**Hike and Bike:**

This proposed plat is in compliance with the City's Hike and Bike Trails Plan. No off-street trails are required to be dedicated with this final plat.

**Sidewalks**

Four (4) foot wide sidewalks will be constructed by the developer per city standards at the time of street construction along all frontages abutting common area lots. Four (4) foot wide sidewalks will be constructed by the home builder per city standards at the time of building construction along all remaining street frontages.

**Roadway Impact Fees:**

The subdivision is located outside of the City Limits and therefore is not subject to Roadway Impact Fees.

**Parkland Dedication and Development:**

This final plat is subject to the 2018 Parkland Dedication and Development Ordinance. Per the approved Master Plan for this subdivision, land has been set aside for a private park within Unit 1 and the developer intends to construct park improvements on the private park as a credit toward parkland ordinance requirements.

As a fiscal surety, the developer is required to pay parkland dedication and development fees for the proposed single-family residential dwelling units prior to plat recordation. Since a private park is proposed, only a portion of the fees may be eligible for reimbursement. Eligibility for reimbursement will be determined when amenities are complete. With the development of up to 140 single-family residential dwelling units, park fees in the amount of \$314,440 are required to be paid prior to plat recordation.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

To meet the requirements of the Subdivision Platting Ordinance and other adopted codes, the applicant's proposed final plat must comply with the conditions noted below. Staff recommends approval of the applicant's proposed final plat with the following Conditions of Approval:

1. Include a certificate of recordation to the plat in compliance with NBCO 118-30(e).
2. Number all open space, park, and drainage lots with lot numbers (ex. 900, 901, etc.) (NBCO 118-21(c)).
3. Show an easement that guarantees access to TXDOT right of way or show evidence that the property owned by Comal County is within the right of way. (NBCO 118-29(b)(2)).
4. Provide street name approval letter prior to recordation (NBCO 118-28(d)).
5. Remove unlabeled dash lines that are shown along nonresidential lot frontages (NBCO 118-21(c)).
6. Remove NBU and Crystal Clear SUD from the signature block (NBCO 118-21(c)).
7. Remove incomplete references to recorded documents if they do not have a document number or by removing blank spaces (NBCO 118-29(b)(1)).
8. Add the following note (NBCO 118-49(d)):  
"Four (4) foot sidewalks will be constructed by the developer per city standards at the time of the subdivision street construction along:
  - a. (Reference the applicable road names, lot numbers and block numbers of parks and open space lots)
  - b. (Reference the applicable road names, lot numbers and block numbers of drainage lots)
  - c. (Reference the applicable road names, lot numbers and block numbers of any other common lot areas)
9. State and label the grid state plane coordinates (two decimal places) that are the farthest from each other on two corners of the outer boundary. (Ord. 118-21(c)).
10. Change all the bearings and distances of the outer boundary to a clockwise rotation. (Ord. 118-21(c))
11. A final digital plat must be submitted when proceeding with recordation, the format must be in: (NBCO 118-21(c))
  - a. NAD 1983 State Plane Texas South Central FIPS 4204 (US Survey feet).
  - b. Grid-scale.
  - c. All x-referenced files must not be in blocks.
  - d. Dwg format 2018 version or earlier.

**Approval Compliance:**

To obtain approval of the final plat the applicant must submit to the City a written response that satisfies each condition of approval prior to expiration of the final plat (Section 118-32(b)). In accordance with Chapter 212, Texas Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.