

## Legislation Details (With Text)

**File #:** 20-233 **Name:**  
**Type:** Plat **Status:** Individual Item Ready  
**File created:** 3/13/2020 **In control:** Planning Commission  
**On agenda:** 4/7/2020 **Final action:**  
**Title:** REP20-052 Public hearing and approval of the replat of Lots 25, 27A and 27B Block 7, Rivercrest Heights Unit 5A, establishing Lots 27AR and 27BR.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Aerial, 2. Re-Plat

| Date | Ver. | Action By | Action | Result |
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Presenter/Contact

*Applicant: Meals Myers Engineering & Surveying  
(210) 740-2483 - tyler@mealsmyers.com*

**SUBJECT:**

REP20-052 Public hearing and approval of the replat of Lots 25, 27A and 27B Block 7, Rivercrest Heights Unit 5A, establishing Lots 27AR and 27BR.

**Plat Information:**

**Case #:** REP20-052

**Engineer/  
Applicant:** Tyler Meals  
Meals Myers Engineering & Surveying  
1711 Hadbury Lane  
San Antonio, TX 78248  
(210) 740-2483 tyler@mealsmyers.com

**Owners:** Theodore Dasso Chris Harper  
1185 Mooncrest 1174 Mooncrest  
New Braunfels, TX 78130 New Braunfels, TX 78130  
(830) 708-1750 (210) 216-4751

**Case Manager:** Holly Mullins  
(830) 221-4054 hmullins@nbtexas.org

**Description:** Replatting three residential lots into two

The subject property is located at the southwest corner of Mooncrest and Fair Lane, near Common Street. It currently consists of three lots; two developed with single family residences and one vacant.

The purpose of this replat is to incorporate the vacant land into the two developed residential lots.

**Drainage:**

The Public Works Department reviewed preliminary drainage with the Letter of Certification process as required by Section 118-51e of the Subdivision Platting Ordinance and in accordance with Chapter 143 Municipal Drainage Utility Systems and the Drainage and Erosion Control and Design Manual. Project drainage for any new construction will be reviewed with the building permit.

The subject property is almost entirely within the 1% annual chance flood zone, with a small corner of proposed Lot 27AR in the floodway. Development within the floodplain is subject to requirements of the Flood Damage Prevention Ordinance. The floodway must be shown as a drainage easement where no obstructions may be placed.

**Utilities:**

Electric, water and wastewater services are provided by New Braunfels Utilities. Utility easements will be added to the plat as required by NBU and no extension of main lines is required.

**Transportation:**

**Regional Transportation Plan:**

The proposed plat complies with the Regional Transportation Plan. Fair Lane is indicated as a 60-foot wide Minor Collector and adequate right-of-way exists.

**Hike and Bike:**

There are no trails identified on the City's Hike and Bike Trails Plan within or adjacent to the subject site. Therefore, the proposed plat is in compliance with the Plan.

**Sidewalks:**

Construction of four-foot wide sidewalks will be required along Mooncrest and Fair Lane at the time of new or re-development on each lot. For example, the R-2 zoning allows the addition of a second dwelling unit on each lot, and sidewalk construction would be required with the building permit if that occurs.

**Roadway Impact Fees:**

The subject property is hereby assessed Roadway Impact Fees for Service Area 2 with approval of the final plat. Impact Fees are collected at time of building permit as indicated in the then current fee schedule for the intended use.

**Parkland Dedication and Development:**

This subdivision is subject to the 2018 Parkland Dedication and Development Ordinance. Because the number of lots is decreasing and there is an existing residence on each lot, no park fees are required at this time. If additional dwelling units are added, park fees for the new dwelling units will be required to be paid at the time of building permit.

**Staff Recommendation:**

To meet the requirements of the City's 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. New lots must have unique lot numbers. Consider 27AR and 27BR. (Sec. 118-24)
2. Revise plat title: Final Plat of Rivercrest Heights Unit 5A, Lots 27AR and 27BR, Block 7, Being

- a replat of Lots 27A and 27B, Block 7, Rivercrest Heights Unit 5A recorded in \_\_\_\_ and Lot 25, Block 7, Rivercrest Heights Unit 5A recorded in \_\_\_\_\_. (Sec. 118-34)
3. Include a succinctly worded Purpose for Replat (may replace some of the verbiage under Area Being Replatted). (Sec. 118-34)
  4. All property owners listed on the deed must sign the plat. Add spouses' names and signature lines as applicable. (Sec. 118-24)
  5. Update owner statement to reflect "final" plat and Lots 27AR and 27BR. Revise to state "We" the undersigned owners... (Sec. 118-24)
  6. Remove building setbacks from plat. (Sec. 118-29)
  7. Remove "100 year" from the floodway label and designate the floodway as a drainage easement. (Sec. 118-51)
  8. Update Note 6 to include the floodway. (Sec. 118-51)
  9. Add plat note: No structures, walls or other obstructions of any kind shall be placed within the limits of the drainage easements shown on this plat. No landscaping, fences, or other type of modifications which alter the cross sections of the drainage easements or decrease the hydraulic capacity of the easement, as approved, shall be allowed without the approval of the City Engineer. The City of New Braunfels shall have the right of ingress and egress over grantor's adjacent property to remove any obstructions placed within the limits of said drainage easements and to make any modifications or improvements within said drainage easements. (Sec. 118-21)
  10. Correct school district in Note 5 to Comal ISD.
  11. In Note 8, add sidewalk location (e.g. adjacent to the curb, behind a 4-foot planting strip, etc.) ensuring consistency with any existing sidewalks throughout subdivision/ neighborhood. (Sec. 118-49)
  12. Note 10: replace "where fees are due at time of platting" with "with a maximum of 2 buildable lots." (Article V)
  13. Remove item Diamond 1 from the plat legend. Other items not used on the plat may be removed. (Sec. 118-21)
  14. Remove all color printing from plat. (Sec. 118-21)
  15. Approval statement must comply with Sec. 118-30 to include the Planning Commission as approval body and signature line for Commission Chair.
  16. Surveyor certificate must comply with Sec. 118-30 and allow room for seal within document boundary.
  17. Include a 20-foot wide utility easement fronting Fair Ln.
  18. Include a 20-foot wide utility easement fronting Mooncrest.
  19. Update coordinate values to grid. (Sec. 118-21.c)
  20. Provide a digital plat with recordation documents, format must be in: Sec. 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 2013 version or later.

### **Approval Compliance**

If the Planning Commission approves with conditions, 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(k)). In accordance with Chapter 212, State Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.

**Attachments:**

1. Aerial Map
2. Reduced Plat (full size plat provided in packet)