

## Legislation Details (With Text)

**File #:** 21-624 **Name:**

**Type:** Plat **Status:** Consent Item Ready

**File created:** 6/18/2021 **In control:** Planning Commission

**On agenda:** 7/6/2021 **Final action:**

**Title:** REP21-204 Public hearing and consideration of the replat of Lot 276, Sungate Unit 8 and Lot 277, Sungate Unit 7B, establishing Lot 277R, Sungate Subdivision with conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. REP21-204\_Aerial, 2. Sungate Plat, 3. Notification & Responses

Date	Ver.	Action By	Action	Result
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**PRESENTER:**

Applicant: Tri-Tech Engineering  
Owner: Koby & Priscilla Harding

**SUBJECT:**

REP21-204 Public hearing and consideration of the replat of Lot 276, Sungate Unit 8 and Lot 277, Sungate Unit 7B, establishing Lot 277R, Sungate Subdivision with conditions.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**BACKGROUND INFORMATION:**

Case #: REP21-204

Owner: Koby & Priscilla Harding  
1643 Sun Bay Drive  
New Braunfels, TX 78130  
(210) 730-5978 hardingkjh@hotmail.com

Engineer: Al Carroll, P.E.  
Tri-Tech Engineering, LP  
P.O. Box 968  
San Marcos, TX 78667  
(512) 440-0222 acarroll@tritechtx.com

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

**Description:** Combining 2 residential lots into 1 residential lot

The subject property is located in the Sungate Subdivision between S. Walnut Avenue and Pahmeyer Road and is currently zoned R-1A-6.6 Single-family District.

**ISSUE:**

The purpose of this replat is to combine two lots from different Units of the subdivision into a single residential lot.

**Drainage:**

The Public Works Department reviewed preliminary drainage with the Letter of Certification process as required by Section 118-51e of the Platting Ordinance and in accordance with the requirements of Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and Design Manual. Project drainage was reviewed with construction plans for the Sungate subdivision.

No portion of this property is located within the 1% annual chance flood zone.

**Utilities:**

Electric service is provided by Guadalupe Valley Electric Cooperative (GVEC). Water and wastewater are provided by New Braunfels Utilities (NBU). GVEC originally requested the 5-foot utility easement on either side of the common lot line remain in place when the lots are combined. However after further review, the utility has no need for the easements and they will be removed from the replat.

**Transportation Plan:**

The plat is in compliance with the City's Regional Transportation Plan and no additional right-of-way dedication is required.

**Hike and Bike:**

The plat is in compliance with the City's Hike and Bike Trail Plan as there are no bike lanes or off-street trails indicated along the subject property.

**Sidewalks:**

Sidewalks exist in this subdivision; however, because Lot 277 is vacant the sidewalk has not yet been constructed. The applicant has not indicated plans for development on this portion of the lot. To avoid a permanent gap in the sidewalk along Sun Bay, the sidewalk must be installed by the property owner prior to recording the replat to maintain compliance with the sidewalk requirement noted in the original plats of both units. A building permit will be required for the construction.

**Roadway Impact Fees:**

This subdivision is in Roadway Impact Fee Study Area 5. Impact Fees were assessed with approval of the final plat. Fees are calculated and payable at the time of building permit based on land use at the then current rate.

**Parkland Dedication and Development:**

The Sungate Subdivision master plan was approved prior to adoption of the Parkland Dedication and Development Ordinance. This plat is therefore exempt from parkland requirements and in-lieu fees.

**FISCAL IMPACT:**

N/A

## **RECOMMENDATION:**

To meet the requirements of the City's Subdivision Platting Ordinance, other adopted codes, and the preceding final plats, the plat must comply with the conditions notes below. Staff recommends approval of the proposed replat subject to the following Conditions of Approval:

1. A 4-foot wide sidewalk must be constructed along Sun Bay Drive for Lot 277 prior to recording the replat. Plat note #6 may then be updated to state 4-foot sidewalks are existing on this Lot. (NBCO 118-34)
2. Revise the plat title to remove "and Block 9, Sungate 8" and put the "Being" statement in a smaller font for clarity. (NBCO 118-29)
3. Remove existing structures (utility poles, transformers, etc.) from the final plat and Legend. (NBCO 118-29)
4. Remove the existing 5-foot wide utility easements along the center lot line being removed. )NBCO 118-48)
5. Remove building setback lines from the plat. (NBCO 118-29)
6. Owners' block shall conform to Sec. 118-30. (NBCO 118-30)
7. Combine plat notes #1 and 2 to state "No portion of any lot on this plat is within a Special Flood hazard Zone according to the adopted flood map No. \_\_\_\_ dated \_\_\_\_ for Guadalupe County. (NBCO 118-30)
8. Remove plat note #5 as it repeats #3, and correct duplicate numbering of #4.
9. Revise note #10 to state the Sungate Subdivision master plan was approved prior to adoption of the Parkland Dedication and Development Ordinance and is therefore exempt. (NBCO 118-58)
10. Add standard NBU and GVEC notes. (NBCO 118-21)
11. Remove "Subdivision Boundary" line through Lot 277R. (NBCO 118-29)
12. Complete Note #12. State whether the distances are in grid or surface with the scale factor. (NBCO 118-24, 21; TAC 138.93)
13. State and label the grid state plane coordinates (two decimal places) that are farthest from each other on two corners of the outer boundary. (NBCO 118-21)
14. Note: A digital plat must be submitted when recording (NBCO 118-21), formatted as:
  - NAD 1983 State Plane Texas South Central FIPS 4204 (US Survey feet).
  - Grid scale.
  - All x-referenced files must not be in blocks.
  - Dwg format 2019 version or earlier.

## **Approval Compliance:**

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

## **Notification:**

We notified 24 owners of property within 200 feet of the request and to date have received one response in favor (#20) and none in objection.

## **Attachments:**

1. Aerial Map
2. Final Plat
3. Notification Map