

Legislation Details (With Text)

File #: 21-990 **Name:**

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

File created: 9/22/2021 **In control:** Planning Commission

On agenda: 10/6/2021 **Final action:**

Title: REP21-328 Public hearing and consideration of the replat of Lot 81 Block 1, Northwest Crossing Unit 3, establishing Lots 81RA and 81RB.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Map, 2. Replat, 3. Notification Responses, 4. Photograph

Date	Ver.	Action By	Action	Result
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PRESENTER:

Applicant: Urban Civil;

Owner: Northwest Crossing Owners Association, Inc.

SUBJECT:

REP21-328 Public hearing and consideration of the replat of Lot 81 Block 1, Northwest Crossing Unit 3, establishing Lots 81RA and 81RB.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District 4**BACKGROUND INFORMATION:**

Case #: REP21-328

Owner: Northwest Crossing Owners Association, Inc.
Ron Savage, President
378 Hampshire Street
New Braunfels, Texas 78130
(210) 393-2432

Engineer: Urban Civil
Brian Mendez
190 S. Seguin Avenue
New Braunfels, TX 78130
(830) 606-3913 bmendez@urbancivil.com

Case Manager: Holly Mullins

(830) 221-4054
hmullins@nbtexas.org

Description: Two lots on approximately 3.44 acres

Lot 81 is owned by the Northwest Crossing HOA and was platted in 2006 as a “reserve area” between Conrads Lane and the residential lots. It currently contains a playground and basketball court.

ISSUE:

The Owners Association is proposing to convey approximately one acre to New Braunfels Utilities (NBU) for an elevated water storage to provide additional capacity to the Kohlenberg Pressure Zone. The land is zoned R-1A-6.6 and therefore this is a residential replat, requiring a public hearing and notice to surrounding property owners within the original subdivision.

The State of Texas mandates that a plat meeting the City’s subdivision standards must be approved. Some opposition to the proposed use is being expressed. However, allowed uses are determined by the zoning district, not the platting of the property. Water storage facilities that are part of a public or municipal water system are allowed uses in all zoning districts.

Drainage:

The Public Works Department reviewed preliminary drainage with the Letter of Certification (LOC) 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. Final project drainage will be reviewed with any building permits submitted. No portion of this property is located within the 1% annual chance flood zone.

Utilities:

Electric, water and wastewater services for Northwest Crossing are provided by New Braunfels Utilities (NBU).

Transportation Plan:

The plat is in compliance with the City's Regional Transportation Plan. 20 feet of right-of-way along Conrads Lane was dedicated with the original plat.

Hike and Bike:

The plat is in compliance with the City’s Trails Plan. There are no bike lanes or off-street paths indicated on the plan along the subject property.

Sidewalks:

Residential sidewalks are required along Conrads Lane with this replat. Four-foot wide sidewalks will be constructed along Lots 81RA and 81RB by the property owner at the time of new development on each lot.

Roadway Impact Fees:

The subdivision is in Roadway Impact Fee Study Area 3, and fees are hereby assessed with the approval of this plat. Fees will be collected at time of building permit as indicated in the then current fee schedule for the intended use.

Parkland Dedication and Development:

The Northwest Crossing Master Plan was approved in 2000, prior to adoption of the Parkland Dedication and

Development Ordinance. This replat is therefore not subject to parkland development or in-lieu fees.

FISCAL IMPACT:

N/A

RECOMMENDATION:

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

1. Revise plat title to state: "Final Plat of Lots 81RA and 81RB, Block 1, Northwest Crossing Unit 3 being a Replat of Lot 81..." and include recording information. (NBCO 118-34).
2. Revise Owner/Developer information to remove NBU as an owner or provide proof of ownership, authorization letter, and signature block for NBU. (NBCO 118-21)
3. Revise line work to indicate both Lot 81RA and 81RB are within the boundary of the subdivision plat. (NBCO 118-29)
4. A temporary construction easement for purposes of site construction can be provided during the permitting process for site construction and is not required to be included on the plat. Choose one of the following to resolve: remove "Proposed" from the temporary construction easement and specify terms and conditions of the easement; record the temporary easement by separate instrument, reference document number on plat, and provide a copy to the City; or, provide the recorded document for the temporary easement at time of permitting. (NBCO 118-29)
5. Remove owner and recording information from within Lot 81RB. (NBCO 118-29)
6. Relabel Existing Plat exhibit as Area Being Replatted. (NBCO 118-34)
7. Provide accurate ROW width for Conrads Ln. (NBCO 118-29)
8. Revise Note 5 to remove [and the County] for plats within the City limits. (NBCO 118-51)
9. Revise Note 7 to state only: This subdivision is not subject to parkland dedication and development requirements. (NBCO 118-60)
10. Add plat note stating four-foot wide sidewalks will be constructed with property development ____ (specify location) along Conrads Lane at the time of new development on Lots 81RA and 81RB. (NBCO 118-49).
11. Add plat note stating ownership and maintenance responsibility of HOA lots. (NBCO 118-45)
12. Remove "Approved for Acceptance" and "Approved this the __ day of __ 2021 by the City of New Braunfels" located beneath. Include "and acceptance" into the Certificate of Approval above (NBCO 118-30).
13. Indicate a 20-foot wide utility easement fronting Conrads Lane and Northwest Blvd on Lot 81RB. (NBCO 118-48)

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.

Mailed notification:

Public hearing notices were sent to owners of 52 properties within 200 feet, 30 of which are within the Northwest Crossing Subdivision. To date we have received no responses in favor and one in opposition (#4).

Attachments:

1. Aerial Map
2. Replat

- 3. Notification Map
- 4. Photograph