

## Legislation Details (With Text)

**File #:** 22-771 **Name:**  
**Type:** Plat **Status:** Individual Item Ready  
**File created:** 6/24/2022 **In control:** Planning Commission  
**On agenda:** 7/5/2022 **Final action:**  
**Title:** FP22-0233 Approval of a final plat establishing Highland Gardens, Unit 1A, with conditions.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Aerial Map, 2. Highland Gardens Unit 1A Final Plat

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

**PRESENTER:**

Applicant: Ink Civil; James Ingalls, P.E.

Owner: Stephen Lieux

**SUBJECT:**

FP22-0233 Approval of a final plat establishing Highland Gardens, Unit 1A, with conditions.

**DEPARTMENT:** Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 1**BACKGROUND INFORMATION:**

Case #: FP22-0233

Owner: SA Highland Gardens LTD.  
2714 N Loop 1604 E. Suite #101  
San Antonio, Tx 78232  
(210) 402-0642 tpruski@bellavistahomes.com

Engineer: James Ingalls, P.E.  
Ink Civil  
2021 SH 46W, Suite 105  
New Braunfels, Tx 78132  
(830)-358-7127 plats@ink-civil.com

Case Manager: Matthew Simmont  
(830) 221-4058 msimmont@nbtexas.org

Description: A 10.087-acre final plat establishing 34 lot for single-family residential.

The Highland Gardens Subdivision is a single-family residential development located on the west side of FM 1044, just north of Franks Road on the south-west side of the City. The subdivision is located within the city limits, split between Comal and Guadalupe counties. The approved master plan for the Highland Gardens

subdivision consists of a total of 4 units/phases. This is the first unit requested for final plat approval.

**ISSUE:**

This final plat is approximately 10 acres and proposed the establishment of 34 residential lots, dedication of rights-of-way, and common areas for the purpose of drainage. The approved master plan for the entire subdivision consists of 55 acres and a total of 161 residential lots.

**Drainage:**

The Public Works Department reviewed and approved final project drainage with the construction plans as required by Section 118-51(e) 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.

**Utilities:**

Water, wastewater and electric utilities will be provided by New Braunfels Utilities (NBU) Utilities will be extended as part of this plat in accordance with the approved construction plans.

**Transportation Plan:**

The proposed plat is in compliance with the City's Regional Transportation Plan (RTP). The approved master plan specifies that right-of-way for an east-west minor arterial, the continuation of County Line Road, be dedicated within the subdivision as well as a minor collector street, and additional ROW along FM 1044. This final plat unit is proposing the dedication of 120 feet of right of way for the future extension of County Line Road. Right of way for the Minor Collector and FM 1044 will be dedicated with Unit 2, also on this agenda.

All streets dedicated and constructed within this plat are proposed to be local streets that have 50-foot right-of-way width.

**Sidewalks**

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

**Hike and Bike:**

The City's Hike and Bike Trails Plan specifies the construction of an off-street multi-purpose trail within the ROW being dedicated for the future extension of County Line Road. The trail will be constructed with the future road construction.

**Roadway Impact Fees:**

The subdivision is in Roadway Impact Fee Service Area 5 and fees are hereby assessed with the approval of this plat. Impact Fees will be calculated and payable at the time of building permit based on land use at the then current rate.

**Parkland Dedication and Development:**

This final plat is subject to the 2006 Parkland Dedication and Development Ordinance. The developer intends to pay fees-in-lieu-of park land dedication and development with no intent to construct a private park for credit. With the development of up to 34 residential home sites within this unit, park fees in the amount of \$20,400 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. Add acreage labels to all non-rectangular lots. (NBCO 118-24(15))
2. Highland Gardens Unit 2 must be recorded prior to or concurrently with Unit 1A. (NBCO 118-24(15))
3. Increase the line thickness for the overall subdivision boundary. (NBCO 118-24(15))
4. Remove contour lines and Note #21 as contour lines do not appear on final plats. (NBCO 118-24(15))
5. Revise all drainage easement notes to include drainage lots, "drainage easements/drainage lots" as they serve the same function. (NBCO 118-24(15))
6. Be advised only 2 trenches are permitted in a 15-foot-wide frontage easement. (NBCO 118-48)
7. Be advised that water and wastewater capacity is not reserved until construction documents and plat approval. (NBCO 118-31(a))
8. Be advised final acceptance or performance bond for utility construction is required prior to plat approval. (NBCO 118-31(a))

**Approval Compliance:**

To obtain final 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 the 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.